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THE
General Hiſtory
OF
ENGLAND,
BOTH
Eccleſiaſtical and Civil:

Containing the Reigns of
EDWARD I, II, III,
AND
RICHARD II.

Taken from the moſt Antient *Records*,
Manuſcripts and *Printed Hiſtorians*.

AS ALSO
AN APPENDIX,
Repreſenting the moſt Material Arguments and Authorities, *for* and *againſt* the Antiquity of the Commons Summoned to *Parliament* before the 49th of *Hen.* III.

VOL. III.

By *JAMES TYRRELL* Eſq;

LONDON,
Printed for **W. Rogers**, in *Fleet-ſtreet*; **J. Taylor**, in St. *Paul's Church-yard*; **J. Nicholſon**, in *Little-Britain*; and **A. Bell**, in *Cornhill*. MDCCIV.

6

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Cornhill. MDCCIV.

The *NAMES* of the *Authors*, both in Print and Manuſcript, made uſe of in this *Volume*; and how denoted in the Margin.

In Latin, Printed.

Chronicon Thom. Wikes. *T. W.*
Annales de Waverly. *A. W.*
Inter Script. Oxon. *edit. Vol. II.*

Annales Wigorn. *Edit. inter Script. in* Anglia Sacra, *Vol. I.* *An. Wig.*

Mat. Weſtmonaſt. *Flores Hiſt.* *M. W.*

Thom. de la More, *Vita R.* Edwardi *II.*

Hen. de Knyghton, *de Eventibus* Angliæ. *H. K.*

Thom. Walſingham, *Hiſt. Regum* Angliæ. *T. W.*

Ejuſdem Ypodigma Neuſtriæ. *Y. N.*

Polydori Vergilii *Hiſt. Anglic.*

Johan. Fordun. *Hiſt. Scotorum.*

Hector. Boethii *Hiſt.* Scotica.

Johan. Leſlæi *Epiſcop.* Roſ. *Chronicon* Scotiæ.

Pauli Æmylii, *de Rebus geſtis* Francor.

Odorici Raynoldi *Annal.* Baronii *Continuatio.* *Od. Raynold.*

Antiquit. Acad. Oxon. *per* Anton. Wood.

Godwin *de Præſul.* Angliæ.

In French.

Jean Froiſſart, *Hiſtoire de* France, *&c.* *Froiſ.*

*Hiſt. d'*Angleterre, *per* And. du Cheſne.

Abregé de l'Hiſtoire de France, *par le Sieur de* Mezeray.

In Italian.

Giovan. *&* Franciſ. Villani *Hiſtoria d'*Italia. *Vil.*

In Engliſh.

Ran. Hygden's *Polychronicon.*

Caxton, Hollingſhed, Stow, *their ſeveral Chronicles.*

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In Latin, Manuſcript

Chronicon Nich. Trivet, *Regum* Edwardi *I. & II. in Bib.* Col. Regin. Oxon. *C. N. T.*

Adam de Murimuthe, *Hiſt. Reg.* Edwardi *I. & II. in eod. Vol. Extat etiam plenius in Bib.* Magdal. Oxon. *C. A. M.*

Annal. Civit. London, *in Libro antiquo de Legibus penes Clericum Urbis.*

Annal. Johan. *de* London, *in Bib.* Officii Herald.

Chron. Joh. Everſden, *in ead. Bib.* *C. J. E*

Walter Hemingford *Chronic. Reg.* Edwardi *I. & II. in Bibl. S.* Trinitat. Cantab. *C. W. H.*

Annales de Abbingdon, *in Bib. Pub.* Cantab. *& in Bib.* Bod. Oxon.

Annales Monaſt. S. Auguſt. Cant. *in Bib. Coll. S.* Benedicti, Cantab. *An. Aug.*

Annal. Anon. in Bib. Cotton. *Chron. Cot.*

Chronicon Monaſt. de
Lanercoſt. *Chr. Lan.*
Norwic.
S. Alban.
Dunſtaple.

Annales Johan. Troclow.
Extant omnia in Bib. Cotton.

Robert. Aveſbury *Hiſt. Rerum* Edwardi *III. Regis.*

Chronic. Monaſt. Chriſti, Cant.
Extant ambo in Bibl. Domini Simonds D'Ews, *Baronetti.*

Chronic. Anon. Monaſt. de Eveſham (*ut puto*) *Regum* Ang. *ad* Rich. *II. incluſ. in Bib.* Bod. Oxon.

Joh. Tinmuthe *Hiſt. Aurea, in Bib.* Lamb.

Regiſters.

Regiſtrum Arch. Cant. *vocat.* Pecham.

Regiſtrum Monaſt. S. Edmundi, *vocat.* Werkton, *penes* Rich. Gipps *Mil.*

Rolls.

Dr. Powel's *Annals of* Wales.

Cotton's *Abridgment of the Records of Parliament.*

Rolls in the *Tower*

Rot. Clauſ. Rot. Pat. Rot. Parl. Rot. Vaſ. *Rot.* Scot. *Rot.* Alman. *Rot.* Walliæ, *Rot* Pipæ.

Manuſcripts in old French.

Scalæ Chronicon, *in the Library of* Bennet College *in* Cambridge.

Les Chroniques de St. Denys, *a large and fair Manuſcript belonging to the City of* London, *in the Cuſtody of the Town-Clerk.*

THE Author's almoſt conſtant Abſence from the Preſs, hath occaſion'd the *Errata* to be more, eſpecially in proper Names, than otherwiſe they would have been. The Literal ones, and thoſe of leſs moment, the Reader may eaſily diſcover and correct: The greater are theſe that follow, *viz.*

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THE

PREFACE.

I Shall perſue the ſame Method in this, as I did in my former Preface; which is, in the Firſt Place, To give ſome Account, together with a ſhort Character, of the Principal Authors, as well in Print *as* Manuſcripts, *from whence the enſuing Hiſtory hath been collected.*

This Volume commences with the Reign of King Edward I. *which is indeed a Noble and Glorious One; and it is great pitty that ſome able Pen of his own Age had not undertaken the Writing of it in a Work deſign'd for that purpoſe: Yet, ſince that Taſk was never hitherto perform'd as it ought to have been, I have taken ſome Pains to collect the moſt memorable Actions of his Reign, not only from* Printed, *but* Manuſcript *Authors, who lived in or about that time, and which have hitherto lain hid in the* Libraries *of private Gentlemen, or elſe in thoſe of the Univerſities, or ſome particular Colleges there.*

As for Printed *Authors, I have drawn the Main Strokes of the Reign abovemention'd, from* Matt. Weſtminſter, *his* Flores Hiſtoriarum, *who continued that Work to the end of this King's Reign, as well as from the divers* Manuſcript *Chronicles, not only of his own Abbey, but thoſe of* Norwich *and* Rocheſter, *now in the* Cottonian *Library, that noble Repoſitory of our* Engliſh *Antiquities.*

To him I muſt, in the next Place, add Thomas *of* Walſingham, *a Monk of St.* Albans; *who, tho' he took upon him to continue* Matt. *of* Weſtminſter's *Deſign, yet nevertheleſs begins his Work with the Reign of* Edward I. *and hath thereto added a great many memorable Paſſages, that the former had omitted, which he might very well do, having not only the Aſſiſtance of the Antient Annals of his own* Abbey, (*that* *ſtill preſerved in the Library of* Bennet-*College in* Cambridge) *but alſo of the Chronicles of* Nicholas Trivet, *and* Adam Murimuthe, *and others: Tho' I cannot omit here taking notice, that this Author, in the very firſt Page of his Hiſtory, places the Death of King* Henry *the* Third *in the Year* 1273. *whereas indeed it was in* 1272. *and he has by that means made King* Edward *not to have began his Reign till* 1274. *in which he not only differs from* Matt. Weſtminſter, *but alſo from himſelf, One whole Year, as appears by his* Ypodigma Neuſtriæ, *where he makes that King's Reign to have began,* A. D. 127$^{2}_{3}$. *as it indeed did.*

After theſe, I cannot omit the Chronicle of Thomas Wikes, *as alſo the Annals of* Waverly *and* Worceſter, *which I have alſo made uſe of in the laſt Volume, together with the Elaborate Collections of* Henry de Knyghton, *which he ſtiles* Ymagines Hiſtoriarum: *Who, tho' he flouriſhed under* Richard *the* Second, *yet had no doubt the peruſal of many choice Manuſcripts more than he cites in his Margin. I have made but little uſe of* Ranulph Higden's Polychronicon, *unleſs it were to Adjuſt the exact Time of ſome Action, which by the various Reports of other Writers was rendred dubious and uncertain, this Author being accounted the moſt exact and diligent in point of Time of any that have undertaken to write our* Engliſh *Annals; yet he was never yet publiſhed entirely in* Latin, *tho' he was Tranſlated into* Engliſh *as far as the Year* 1301. *by* John Treviſa, *a Secular Prieſt, Rector of* Berklay *in* Gloceſterſhire, *and Chaplain to the Lord of that Name, to whom he Dedicated that Work; and this I take to be the firſt Hiſtory that we have in the* Engliſh *Tongue, at leaſt in Proſe; for as to the* Manuſcript *Hiſtory of* Robert *of* Glouceſter, *written in Rhime, it does not ſeem by the Stile of it to be more Antient than the Reign of* Edward II. *or beginning of* Edward III. *at furtheſt.*

Having done with the Printed Hiſtorians, I ſhall now proceed to thoſe in Manuſcript: *In the Firſt Place, I cannot but take notice of an Anonimous Chronicle in the* Cottonian *Library, written in a very bad, but yet no very antient Character. This is falſly aſcribed to* Walter *of* Coventry, *but with whom it does not at all agree, as to what he writes concerning the Reign of* Henry *the* Third: *Nor could he write the Hiſtory of his Son, ſince he Died about the middle of his Father's Reign,* *as I have obſerved in the Preface to my laſt Volume: However, I have made uſe of this Author, as to ſeveral Paſſages either wholly omitted, or leſs exactly related, by other Hiſtorians.*

I have likewiſe Extracted ſome Matters of Moment concerning Edward *the* Firſt *and* Second, *from* John *of* London, *a Monk of* Weſtminſter, *his* Manuſcript *Chronicle, and in particular that Noble Character he gives of the firſt of theſe Princes; And I had borrowed more from him had, not* Matt. *of* Weſtminſter *prevented me, by Tranſcribing many Paſſages from him almoſt word for word.*

I have alſo made ſome Vſe of John *of* Everſden's Series Temporum: *He was a Monk of St.* Edmunds-Bury, *and Cellarer of that Monaſtery: He begins his Chronicle from* Adam, *and brings it down as far as the Year* 1300, *being the 28th of* Edward *the* Firſt; *but is very faulty and careleſs in point of Time, and other Circumſtances: Both theſe laſt mention'd are preſerved in the Library of the* Heralds *Office, and were formerly the Lord* Howard's *of* Naworth.

I have been alſo beholding, for ſome choice Tranſactions, to a Manuſcript *Chronicle formerly belonging to the Abbey of St.* Alban's, *written by a Monk of that Monaſtery, at the particular Inſtance of* John *the* Abbot, *in the time of* Edward *the* Firſt: *It begins* Ann. Dom. 1200. *and ends* 1300. *being the ſame Year that* Everſden *concludes his Hiſtory. This Chronicle is extant in the* Cottonian *Library, as is alſo another of the Abbey of* Rocheſter, *which ends imperfectly with the Year of our Lord* 1306. *Out of this* Matt. *of* Weſtminſter *hath alſo taken a great deal, as I have done ſome Things which he has omitted.*

I have Collected (as is aboveſaid) ſome Paſſages from Nich. Trivet, *a* Dominican *Fryar, who flouriſhed under King* Edward *the* Third, *and begun his Chronicle* Ann. Dom. 1303. *and wrote moſt of it from his own Knowledge, as far as the Twenty firſt Year of* Edward *the* Firſt, *from which it is continued by another Hand to the Year* 1318. *being the Twelfth of* Edward *the* Second.

I have been beholding likewiſe to Adam Murimuthe's *Chronicle, (who was a Learned Canon of St.* Paul's) *and firſt wrote to the Year* 1303. *and then continued his Chronicle down as low as to the Year* 1342. *being the Sixteenth of* Edward *the* Third, *and is very exact for the Time it treats of: The moſt perfect Copy of which is preſerved in the Library of* Trinity-College in Cambridge; *and there is alſo another in St.* Mary Magdelen's *College*, Oxon.

To theſe I muſt likewiſe add Walter Hemingford's *Chronicle; the firſt part of which, as far as the the beginning of the Reign of* Edward *the* Firſt, *is Printed in the laſt Volume of our* Engliſh *Hiſtorians, Publiſhed by the learned Dr.* Gale *late deceaſed; but the ſecond part which contains the Reigns of* Edward *the* Firſt *and* Second, *with great part of that of* Edward *the* Third, *is not yet Publiſhed, but remains ſtill in* Manuſcript, *in the Library of* Trinity-College *in* Cambridge, *where I had the favour to peruſe it, and have added ſome things from thence into the Reign's of* Edward *the* Firſt *and* Third.

But the moſt conſiderable Aſſiſtance I have had, eſpecially concerning the Wars of King Edward *the* Firſt *in* Wales *and other Places, hath been from* an Anonimous *Chronicle in the* Bodleian *Library, the Original of which is in a* moſt *elegant Character, which once belonged to the Abbey of* Abingdon, *and is ſtill preſerved in the Publick Library of the Univerſity of* Cambridge: *I ſhall ſay no more of this Author, but that I find* Walter Hemingford *abovementioned, and* Henry de Knyghton, *to have Tranſcribed ſeveral of the moſt conſiderable Paſſages into their Reſpective Hiſtories, though according to the Manner of the Monks of that time, they have not thought fit to cite it.*

To this Collection I muſt add another Anonimous *Chronicle in the* Bodleian *Library, often qouted by Sir* William Dugdale *in his* Baronage *of* England, *by the Name of the Chronicle of* Eveſham; *but ſince I find the very ſame, or much the like Chronicle in the* Cottonian *Library under the Title of The Chronicle of* Glaſtenbury, *which has moſt the ſame things word for word, I cannot tell to which of them to aſcribe it; for they have both of them inſerted divers Tranſanctions and Relations which particularly concern each of thoſe Monaſteries: I ſhall therefore here ſay no more of it, but that I have extracted ſome paſſages from thence, not elſewhere to be found.*

Nor have I left ſome Biſhops Regiſters unſearched; having been beholding for the Relation of the great Tranſaction between King Edward *the* Firſt *and* Llewellyn *the laſt Prince* *of* Wales, *to Archbiſhop* Peckham's Regiſter, *from whence it was Tranſlated into* Engliſh *by Dr.* Powell, *who inſerted it into his Hiſtory of* Wales, *and is now Printed from the Original in the Second Volume of Sir* Henry Spelman's *Britiſh Councils.*

I have alſo made uſe of ſome other Manuſcript *Chronicles in the* Cottonian *and other Libraries; but ſince the Paſſages I have borrowed from them are but few, I have not thought it worth my while particularly to mention them in this place, but refer the Reader to the Catalogue before the enſuing Volume: But though that* antient Manuſcript *Book belonging to the City of* London *(which I have ſo often cited in my laſt Volume) go no farther then the Reign of* Henry *the* Third, *yet I have there found ſome few conſiderable Paſſages inſerted relating to the Reigns of* Edward *the* Firſt, *and* Edward *the* Second, *which I have put in their proper places; but as for the* Scotiſh *and* Northern *Affairs in the latter end of the firſt of the Kings laſt mentioned, and during the whole Reign of the latter, I have been beholding to the* Manuſcript *Chronicle of the Abbey of* Lanercoſt *in* Cumberland, *which contains ſo exact an Account of our* Engliſh *Affairs, eſpecially in all things relating to* Scotland, *that one may admire how thoſe* Monks *that lived in ſo remote a Corner of* England, *ſhould come to that nice and particular Information of moſt Civil and Military Tranſactions. This is alſo preſerved in the ſame Library, and it is pity that that part of it at leaſt had not been Publiſhed in the ſame Volume with the X.* Scriptores.

In Writing the Reign of Edward *the* Second, *beſides the Printed Authors made uſe of for his Father's Reign, and continued to this, I have taken divers Paſſages from Sir* Thomas Delamore's *Hiſtory of this King, who hath given us an Account of ſeveral Particulars omitted by others, though having been a Servant to Him, he is not to be credited in all he relates, eſpecially when he oppoſes the contrary Teſtimonies of other Writers of much better Credit; and indeed he ſhews himſelf ſo partial to this King's Perſon and Cauſe, that he plainly diſcovers he is not to be relied on as a juſt and Impartial Writer; I have alſo borrowed ſome particular Paſſages in this Reign from the ſhort* Manuſcript *Annals of* John Trocklow, *a Monk of St.* Alban's, *a very exact and diligent Writer, as far as he undertook the Hiſtory of our Affairs, which he ends with the Death of this Prince.*

For the Reign of Edward the Third, I confeſs I have had greater Helps than for any of the former; ſince beſides the Printed and Manuſcript Authors already mentioned, of which ſome of them carry on the Hiſtory as far as the beginning or middle of this King's Reign, I have extracted divers conſiderable things in both Reigns, from a Manuſcript Hiſtory of one Le Grey, which he calls by the Name of Scalæ Chronicon, i. e. the Chronicle of the Ladder; and the reaſon why he ſays he gave it this Title, was, becauſe he had, from the ſeveral Authors which he made uſe of, aſcended (as it were) by ſo many Rounds, from his own, to the Knowledge of more antient Times. It appears by his Book, that he was taken Priſoner in an Expedition againſt the Scots, and finiſhed it in the Caſtle of Edinburgh. There is but one Copy of this Manuſcript extant (that I know of) and that is in the Library of Bennet's Colledge in Cambridge, where I had the favour of the Peruſal of it.

I have alſo taken many things from the Manuſcript Hiſtory of Robert Avesbury, Regiſter of the Archbiſhop of Canterbury's Court, a conſiderable Writer of that Age, who is very exact in his Account of this King's Actions beyond Sea, as having taken them from ſeveral Original Letters of Perſons of Note, who were then preſent with him, ſeveral of which he hath given us at large; and indeed it had been very conducing to the Writing of a perfect Hiſtory of this King's Reign, if he had continued his Labours; but he is ſo far from that, that whether he was prevented by Death, or hindered by ſome other occaſions, he leaves off Writing about the Twenty ninth Year of this King, viz. Anno Dom. 1355. when he had recovered Berwick, which had not long before been taken by the Scots.

I have likewiſe borrowed ſeveral conſiderable Paſſages relating to this King's Reign, from a fair and antient Manuſcript Chronicle in French, preſerved in the Archieves of the City of London, under the Cuſtody of the Worthy Henry Aſhurſt Eſq; their preſent Town Clerk, which ſeems to be written by a Monk of the Abbey of St. Denis near Paris: But though he is very partial to his own Nation, yet he hath ſeveral Memorials which are not to be met withal elſewhere, particularly concerning the Treaty of Bretagne, beſides others that are not reported with that exactneſs in the Printed Hiſtorians. This Author ends his Hiſtory with the Reign of Charles VII.

As for King Edward *the* Third's *Actions abroad, I confeſs my ſelf to have been cheifly beholding to the* French *Hiſtory of* John Froiſſard, *who by his frequenting the Courts of the Princes of that time, and his Acquaintance with divers great Men, and Principal Commanders, both of the* French *and* Engliſh *Nations, during thoſe long and Bloody Wars between them, could not but be very well informed of moſt of the Chief Actions and Succeſſes that happened on either ſide in* France, Flanders *and other Places; yet one great Fault of his Hiſtory is, that it is very tedious in the Relations, and ſtuffed with many unneceſſary Circumſtances, as Dialogues and Speeches delivered in an ordinary and familiar Stile; which plainly ſhews his* Memoirs *were not borrowed out of Books, but from the particular Relations of the Parties concerned: But I have abridged what I have taken out of him into as narrow a Compaſs as I could; but how great ſo ever the Credit of this Author may be, in Reſpect to* Foreign *Affairs, I cannot allow him the like as to thoſe of* England, *concerning which he often received very falſe or imperfect Informations, for I will not lay it to his charge, that he himſelf invented thoſe Stories; ſuch as are the taking and burning of* Durham *by* David *King of* Scots, *which is contrary to the Teſtimony of all our Hiſtorians and Annals in* Print *and* Manuſcript, *who agree that the King never approached nearer the City laſt mentioned, than* Nevil's Croſs, *where that Battel was fought; and whereas he ſuppoſes Queen* Philippe *to have been perſonally preſent at this Battel, and to have encouraged the Soldiers to Fight, I do not find it related by any of our* Engliſh *Hiſtorians, who ſpeak of the Archbiſhop of* York, *and the Lord* Piercy *and* Nevil, *as the ſole Commanders at that Battel, without one word of the Queen's being there, or ſo much as of her going down into thoſe Parts; which if true, ſure ſo memorable a Circumſtance could have hardly been omitted by thoſe that Writ the Hiſtory of thoſe times. To theſe I may likewiſe add that* Romantick *Expedition of King* Edward *againſt the* Scots, *for the Relief of the Caſtle of* Weark, *and the Counteſs of* Salisbury *who was therein beſieged by the* Scots, *whom this Author makes to have been ſet free by the King, and that he then fell in love with her, when indeed ſhe was not there at all; and if it were any one of that name, it muſt have been the Counteſs Dowager her Mother in Law, as I have obſerved in the enſuing Hiſtory: Nor can*

I find, either by our own or the Scotiſh Hiſtorians, that either King David invaded England, or that King Edward made any Expedition into the North that Year; and whoever will carefully peruſe this Author, may obſerve a Romantick Humour of Love and Honour running through all his Hiſtory; ſo that there is ſcarce an Action performed by a young Commander, in which his Miſtreſs is not ſome way or other concerned; therefore although I have for the Reader's Entertainment ſet down thoſe falſe or at leaſt ſuſpicious Relations, yet I ſhall leave it to their Judgment how far they will give Credit to them; and I have thought fit to give you theſe Advertiſements concerning this Author, ſince they may be of ſome uſe, and have never been taken notice of before by any other Writer that I know of. But before I leave him, this muſt be acknowledged for his Honour, that his Hiſtory was of that Reputation above 200 Years ago, that Sir Henry Boucher, Lord Barners, a Learned Baron, undertook to tranſlate it into Engliſh in the beginning of the Reign of King Henry the Eighth, by the particular Command of that Prince; and it is ſtill extant in the old Print of that time, being the firſt Work of that kind that was performed in Engliſh by a Perſon of his Quality.

To conclude with Parliamentary and other Civil Affairs, I have for thoſe chiefly made uſe of the Records in the Tower, by the Favour of my worthy Friend William Petyt Eſq; the faithful Keeper of, as well as Diligent and Labourous Collector from them; though I could not begin more early then the 3d Year of Edward the Third, becauſe no Proceedings in Parliament are extant on the Rolls before that time; however the Writs of Summons to all Parliaments, from the 23d of Edward the Firſt, down as low as the Reign of Henry the Seventh, are found moſt commonly entered on the back of the cloſe Rolls; and their Authority, whenever I had Occaſion, I have made uſe of; but as for the Account of moſt Parliamentary Proceedings related in this Volume, I muſt own my ſelf beholden to Dr. Brady's diligent Collection of them in the laſt Volume of his Hiſtory, as alſo from the Rolls of Scotland, France, Gaſcoigne, Rome and Almayne, concerning ſeveral Tranſactions of great moment, though I have examined many of them my ſelf, when I doubted any thing to differ from the Original.

Nor have I tyed my ſelf up to his Tranſlation, but have often varied from it, when I thought it for the better; and added *ſome conſiderable paſſages which he had omitted, and reſtored others to their due Order, where I found them miſplaced.*

I have alſo corrected ſeveral Errors, and made ſome Additions from the Records themſelves to that Abridgment of them, which goes under the Name of Sir Robert Cotton, *though erroneouſly through* Mr. Prynn's *Miſtake, who finding it among the* Manuſcripts *of that learned Antiquary ſuppoſed it to be of his compoſing, whereas if he had ever ſeen the* Original Manuſcript *of that laborious Collection now in the* Herald's *Office, he would have found by a* Memorandum *in the very firſt Page of it, under the hand of* Mr. Robert Bowyer, *that it was made by his Father, Keeper of the* Tower *Records in the latter end of the Reign of Queen* Elizabeth, *and beginning of King* James *the* Firſt, *and what was wanting in it,* viz. *the Abridgment of the Rolls of Parliament of the 21ſt and 46th of* Edward *the* Third, *the 8th of* Henry *the* Fifth, *and 20th of* Henry *the* Sixth, *were ſupplied by* William Bowyer, *the Son and Succeſſor of* Robert *in the ſame Office, as appears by a Certificate under the hand of this* William; *and that Sir* Robert Cotton's *Copy was from an Imperfect one of this* Robert Bowyer's, *appears by its wanting the Abridgment of thoſe Rolls abovemention'd. This I thought fit to mention, for the Information of the Curious Reader; but I ſhall now proceed to the further Account of the* Manuſcripts, *from whence I have digreſſed.*

And as for Leagues and Agreements, with ſome other great Tranſactions, between ſome of the Kings, whoſe Reigns I now write, and thoſe of France, *I have been beholding to the* Codex Juris Gentium Diplomaticus *of Mounſieur* Leibnitz; *with the* Mantiſſa, *or Second part to it, for ſome rare Charters and Inſtruments, which I have not met with elſewhere.*

I am alſo beholding for ſome conſiderable Tranſactions to the Writers of Eccleſiaſtical *Hiſtory, eſpecially* John *of* Tinmuthe's Hiſtoria Aurea, *who among a great many fabulous Relations, often intermixes very conſiderable Paſſages relating to* Civil *Hiſtory; and I have in the beginning of the Reign of* Edward *the* Third *extracted an Account of that great Riot and Aſſault, made by the Mayor and Townſmen of St.* Edmundſbury, *upon the Abbots and Monks of that Monaſtery, out of an Antient* Leiger *Book that belonged to that Abbey, and from whence I ſuppoſe* Hollingſhed *hath inſerted it into his*

Hiſtory, though I have made it much ſhorter in mine, as you will find in the beginning of this King's Reign laſt mention'd: But as for the Letters and Tranſactions between ſeveral Popes and this Prince, during the Wars between France *and* England, *they are moſtly taken from* Odoricus Raynoldus's *Continuation of the Annals of* Cardinal Baronius; *and indeed that Author having had acceſs to the Pope's* Archives, *hath given us ſeveral choice* Letters, *not to be met withal elſewhere; ſome of which I have inſerted, That ſo the Reader may obſerve, how partial thoſe Popes of the* French *Nation, and (who commonly reſided at* Avignon*) then were to the intereſt of the* French *King, whoſe Subjects they had been.*

And indeed I muſt acknowledge my ſelf very much obliged to the Voluminous and Elaborate Hiſtory of this King, written by the Learned Mr. Joſhua Barnes, *late Fellow of* Emanuel College *in the Univerſity of* Cambridge; *who hath, out of a great number of Authors, collected all that ever almoſt can be found relating to this King's Life and Actions, or of thoſe of the Great Men either Biſhops or Laymen that lived in his time; and I confeſs, I have borrowed from thence a great many Paſſages, eſpecially of* Foreign *Authors, not commonly known in* England, *ſuch as are the* Italian *Hiſtories, of both the* Villani's, *whereof* John *was the* Uncle, *and* Matthew *the* Nephew, *who continued the Hiſtory that the former had began; yet I have not followed* Mr. Barnes *as a Plagiary, in blindly Tranſcribing whatever I found in him for my purpoſe, but by comparing his Quotations from the Authors from whence they were taken, and by Abridging the length of his Relations, eſpecially as to Sieges and Battles, have made them in a manner my own: Nor do I always approve of the Authors he makes uſe of, particularly of an* Engliſh *Manuſcript Chronicle in* Bennet-College *Library, which contains a ſhort Hiſtory of the Kings of* England, *down to the Reign of* Edward *the* Fourth; *yet as it is of no great Antiquity, ſo it is ſtuffed with a great many falſe and futilous Relations, very different and often contradictory to the Accounts of our beſt and moſt credible Writers. However I confeſs I have taken from this, or rather from* Caxton's *Chronicle, (who hath tranſcribed a great deal from him almoſt* verbatim*) ſome Paſſages which not being to be found elſewhere, may ſerve to* *illuſtrate this Hiſtory, and being very probable, may deſerve our Notice. I have nothing more to obſerve concerning this* Manuſcript, *but only that I find it for the moſt part tranſcribed from another more Antient one, written in the* French *Tongue about the time of* Richard *the* Second, *or* Henry *the* Fourth, *and is to be ſeen in the* Cottonian *Library. To conclude this Head, I hope the Learned Author abovementioned will pardon me, if I have taken upon me to differ from him in the Account he gives of ſome Actions, and the Cauſes of them, as alſo as to the time when they were performed, which I have ſometimes corrected according to* Walſingham's *Account, who begins the Year at* Chriſtmaſs-day.

In the writing of the Reign of Richard *the* Second, *as I have been overwhelm'd with Authors in that of his Grandfather, ſo I find a great Deficiency of good Writers, eſpecially* Manuſcripts, *concerning this King's Life and Actions; therefore I have been moſt beholding to* Henry Knyghton *and* Thomas Walſingham: *Yet I cannot but obſerve, That the only Copy I know of extant, of the former Author in the* Cottonian *Library being imperfect, ends at the* 18*th Year of his Reign; but that it is very likely he wrote the Hiſtory of the other Three Years, appears by this, That at the end of the* Manuſcript *Copy abovementioned, there is ſtill extant the Articles of the Parliament againſt* Richard *the* Second, *the manner of his* Reſignation *and* Depoſition, *and the Form of their renouncing their Homages to Him; which being faithfully tranſlated, you will find inſerted at the end of this King's Reign.*

But indeed Thomas Walſingham, *hath been ſo very large and particular in his Relation of this King's Life and Actions, that he hath made ſome amends for the want of other Authors; and though he lived and wrote ſome Years after this King's time, yet he had very good Authorities for what he related, for there is ſtill preſerved in the Library of* Bennet-*College in* Cambridge *a large* Leiger *Book, that once belonged to St.* Alban's-*Abbey, of which our Author was a Monk, wherein among divers particulars relating to that Monaſtery, there is alſo intermixed (by way of Annals) a great deal of* Civil *Hiſtory, eſpecially relating to the Reign of this Prince, and from whence I find our Author to have bor-*

rowed moſt of his matter, though he had digeſted it into a much better Stile and Order.

There is likewiſe preſerved in the Bodleian *Library a* Manuſcript *Copy of this Author's Chronicle, which as it wants divers things that are found in the Printed Editions of it, ſo that alſo has ſome Paſſages, particularly relating to the Affairs of the Church, which are not in the Prints, and ſeem to have been added by ſome Monk of the Abbey laſt mention'd, who tranſcribed it: Some of which I have made uſe of in the enſuing Hiſtory.*

I have likewiſe in this Reign, for want of more antient Writers, taken ſome Paſſages out of Fabian's *Chronicle, chiefly relating to that King's ſevere dealing with the City of* London; *for he being a Citizen was moſt likely to underſtand the truth of thoſe Tranſactions: I have alſo borrowed ſome few things from* Polydore Vergil's *Hiſtory of this King's Reign, with reference to the Grounds and Reaſons of the King's great hatred to the Duke of* Gloceſter *and Earl of* Arundel, *and which I ſuppoſe he found in ſome* Manuſcript *Hiſtory of that time, that is either now loſt, or elſe carried by him away into* Italy.

But as for Manuſcript *Authors, I have found but very few concerning this King's Reign, from which I could extract any thing that might give greater light to it; Two in the* Lambeth *Library, One whereof contains certain Annals which begin with the latter end of* Edward *the* Third, *and proceed to the very end of* Richard *the* Second; *but moſt of the ſame things being related more exactly by* Walſingham *and others, I only collected ſome Paſſages here and there, which had been omitted by them.*

The next I met with in the ſame Place, is an exact Account from a nameleſs French *Gentleman, that came over by the leave of the King of* France *to attend King* Richard *in his laſt Expedition into* Ireland, *and upon the News of the Landing of the Duke of* Lancaſter, *and his ſtrange Succeſs, return'd with Him into* England, *and Landing in* Wales, *was preſent at all the Meſſages and Tranſactions that paſſed between the Duke of* Lancaſter *and King* Richard, *whilſt He remain'd at* Conway *Caſtle, and alſo at his being carried to that of* Flynt, *with the manner of the meeting of the King and Duke at that Place, and what paſſed between them at that* *fatal Interview; as alſo how this King was conveyed to* Cheſter, *and from thence to* London *as a Priſoner; all the particular Circumſtances of which, not being ſo exactly related by any other Writer, as I find they are in his* Manuſcript, *partly in Proſe, and partly in pitiful Rhime, I have tranſlated from the* French *Original, as you may find near the end of this Volume.*

And ſince I have now given you the Account I deſign'd concerning the Authors from whom I have collected this Work, I ſhall beg leave to ſay ſomewhat of the undertaking it ſelf, in the drawing up of which, I have not to my knowledge omitted any Action, either Civil *or* Military *worth mentioning, thô I confeſs I have done as much as I could to avoid the inſerting of any unneceſſary Matters or Circumſtances, eſpecially in the Relations of* Sieges *and* Battels, *becauſe I thought they would not prove very inſtructive to the Gentlemen of the Sword; War being an Art to be chiefly learn'd by Action and Experience, rather than by Books; but I hope none of my Readers will take it amiſs, that I have been ſo particular in the Relation of* Parliamentary *Affairs, from the Rolls in the* Tower; *ſince beſides the uſefulneſs of this kind of Learning, I would not fall ſhort of Dr* Brady's *Performance in this way, ſuppoſing a competent knowledge of them to be very neceſſary for our Young Nobility and Gentry, who have or ſhall have Places in either Houſe of Parliament; and I have moreover for their Vſe, and for the Satisfaction of the Students of our* Common-Law, *or ſuch Noblemen and Gentlemen and others that ſhall peruſe this Hiſtory, inſerted (at the end of each King's Reign) a brief Abſtract of the Statutes or Acts of Parliament now in force, that were made in their Reigns, containing the Chief Heads of thoſe that are of greater Moment, and moſt neceſſary to be known; by which means the Reader will have a clear view before him of the Riſe, Progreſs and Alteration of our Statute Laws, which were at firſt but few and ſhort, though now they are riſen to ſuch an immeaſurable Bulk of a great many unneceſſary and obſolete Statutes, that I know nothing that the Wiſdom of the State could better employ it ſelf about, than in appointing ſome of the Learned Profeſſors of the Law to reduce that vaſt Volume into a leſſer Compaſs, by throwing aſide thoſe Laws, that are now become unneceſſary and obſolete, and by Abridging thoſe that are in force and deſerve to be* *continued, and bringing them under certain Heads after the method of* Juſtinian's *Inſtitutions. But to ſay no more of this great Deſign, which I can rather wiſh for, than expect to ſee done in my time, I have likewiſe (to give you as perfect a Hiſtory of our Laws as I could) tranſcribed, from the late Lord Chief Juſtice* Hales's Manuſcript Annalyſis *of the Laws of* England, *certain Learned and Judicious Obſervations he hath made upon the Laws and Statutes of each King, eſpecially ſuch as have alter'd or amended the former Courſe of the* Common-Law, *either in Point of Proceſs, or of the Law it ſelf. All which taken together, may, I hope, give the Reader ſuch an Account of our Common and Statute Laws, as the Learned Lord* Bacon *propoſes as neceſſary to a Compleat Hiſtory of* England, *or at leaſt may come ſomewhat near that excellent Model laid down by that great Perſon.*

And that I may render this Work ſtill the more uſeful to all ſorts of Readers, I have further for the Benefit of thoſe, whether Divines or others, that delight in Church-Hiſtory, given a brief Account of the chief Eccleſiaſtical Matters in each King's Reign, eſpecially ſuch as relate to Synods *and* Convocations, *and the Diſputes between the King and the Pope or Clergy: And ſince the Riſe and Progreſs of New Doctrines and Opinions in Religions is very neceſſary to be known, and not unpleaſant to be read, I have alſo added a brief Hiſtory of Dr.* John Wickliff *and his* Tenets, *which were much the ſame with thoſe of* John Huſſe *and* Hierome of Prague *in* Bohemia, *and ſeem to be derived from the antient* Albigenſes, *who continued ſo many Ages in the South of* France, *and in the Mountains of* Savoy *and* Piedmont, *until they were lately expell'd their Country by a cruel and unjuſt Perſecution.*

But I cannot deny, That after Wickliff's *Death, if not before, divers of thoſe that pretended to be his Followers, broached ſeveral extravagant and unorthodox Opinions, which are much the ſame with thoſe of the* Quakers *and other Sectaries of our times, as you will find by their Doctrines and* Tenets *at the end of this Volume: And here I muſt own my ſelf beholding to Dr.* Brady's *diligent and elaborate Collections of theſe Matters, which I have tranſcribed, with the Addition of ſome particular Obſervations of my own, eſpecially from a* Manuſcript *Copy, or rather Abridgment of* Thomas Walſingham,

ſingham, *done by ſome Monk of the ſame Monaſtery, who hath inſerted ſome things concerning the Opinions and Demands of* Wickliff's *Followers in Parliament, which are not to be found in that Author.*

Before I conclude this Preface, I ſhall anſwer what I am ſenſible may be objected againſt this Performance; viz. *That ſince* Dr. Brady *hath wrote a* Compleat Hiſtory *of theſe Four Kings, to what purpoſe was it, that I took upon me to do the ſame? To which I reply, That had his Work fully anſwered the* Title *it bears, I had not put my ſelf to the trouble to write, or the Reader to peruſe the enſuing Collections; for I muſt needs ſay (and ſhould have done the ſame were the Learned Doctor now living) that his Second Volume much leſs deſerves the Name of a* Compleat Hiſtory *than the former, ſince it omits a great many conſiderable Actions both* Civil *and* Military, *eſpecially in the Reigns of King* Edward *the* Third, *and* Richard *the* Second, *of whoſe Perſonal failings and Errors in Government, by breaking in upon the Privileges both of the Nobility and People, he hath given us a very partial and imperfect Relation; ſo that indeed one would believe that the chief Intent of the Writing of thoſe Reigns, was, to juſtify the illegal Proceedings of thoſe Princes, or elſe to tack together the Collection he had made of Parliamentory Records, by intermixing here and there ſome Paſſages from the Hiſtorians of thoſe times, yet omitting a great many others altogether as conſiderable, and fit to be known; for the truth of which cenſure, I deſire the Reader to compare the Doctor's Hiſtory with the Printed or* Manuſcript *Writers of the Reigns of thoſe Four Kings he has undertaken to write of, or if that be too great a trouble, he may compare it with what I have Writ in the enſuing Volume; and though I freely acknowledge, That the Records ſtill extant on the Patent-Clauſe and Parliament Rolls, may be of great uſe, not only to give light to many Paſſages in our Printed Hiſtorians, but alſo to correct divers Errors, eſpecially in the Account of Parliamentory Affairs, they have fallen into by conſulting them; yet that a* Compleat Hiſtory *of* England *can ever be wrote from Records, I believe no Man that underſtands any thing of it, as he ſhould do, will be ſo bold as to Affirm.*

I ſhall now conclude this Preface with ſome Obſervations upon the groſs Errors and wilful Miſtakes of Father d'Orleans *his* French *Hiſtory of the* Revolutions of England, *ſince I perceive it hath been of late much in vogue among our young Nobility and Gentry, who are Maſters of the* French *Tongue, and who may have thereby received ſome Prejudices and Misinformations concerning thoſe great Changes and Revolutions which the Neceſſity of preſerving our Common Liberties hath ſometimes produced. I ſhall begin with the Author's Firſt Volume, where, in the beginning of the Reign of* Edward *the* Firſt, *he ſays of* Leolyn *(as he calls him) Prince of* Wales, '*That He had united in his Perſon, all* '*that the Antient* Brittiſh *Nation poſſeſſed in the Country of* 'Wales, *divided before him into the Petty Eſtates, the one* '*independant from the other, which were called according to* '*their ſituation* North-Wales *and* South-Wales, *and in* '*reuniting theſe Territories, He alſo reunited the hatred of* '*the whole Nation againſt the* Engliſh, *&c.*

This is a very great Miſtake; for as to South-Wales, *it was ſo far from being united to* North-Wales *at this time, That great part of it was then under the Dominion of King* Edward, *either by Conqueſt, or the Submiſſion of the Princes of that Country; though ſome of them were permitted to enjoy certain ſmall Territories in thoſe Parts, but without the Title of Princes, as any one that will take the pains to peruſe Doctor* Powel's *Chronicle of* Wales, *may be eaſily ſatisfied: But as for* Llewelyn's *thereby reuniting the antient hatred of the* Britiſh *Nation againſt the* Engliſh, *it is ſo far from being true, That they had never lived with fewer Quarrels, than from the latter end of* Henry *the* Third's *Reign to the beginning of his Son's, when the War between Him and this Prince again broke out.*

In the Relation of King Edward's *undertaking the Deciſion of the Claims of the ſeveral Competitors to the Crown of* Scotland, *he blindly follows* Hector Boethius *and* Buchanan, *in relating that King* Edward *offer'd to adjudge the Crown of* Scotland *to* Bruce, *provided he would promiſe to do Him Homage for it; but he diſdaining the Crown upon ſuch baſe Terms, the King applied Himſelf to* Baliol; *who having more Ambition, accepted it upon thoſe Conditions: This is the Sum of his Relation; but whoever will peruſe our Hiſto-*

Hiſtorians, confirm'd by that full Account which is given of it in the Rolls of Scotland, *will find that all the Competitors, at King* Edward's *Deſire, Sign'd an Inſtrument, whereby they own'd his Sovereignty over the Kingdom of* Scotland, *and promiſed to ſtand to the Award He ſhould make concerning it; the Original of which under all their Seals, (even that of* Robert Bruce *himſelf) is ſtill preſerved in the* Cottonian *Library: And though this Author will have only* Bruce *of all the* Scottiſh *Nobility to have refuſed to ſubmit to* Baliol, *yet it is a great miſtake; for he as well as the others, own'd his Title, and was preſent at his Coronation; neither was it this* Bruce, *but his Son, that afterwards poſſeſſed himſelf of the Crown of* Scotland.

This Author alſo under the Year 1303. *in his Relation of* P. 356. *King* Edward's *Reduction of* Scotland, *after his vanquiſhing the* Scottiſh *Army, follows* Boethius *in that falſe Story of this King's carrying away all the Libraries and Learned Men He could light on out of that Kingdom; which ſince it is already ſufficiently confuted in the following Hiſtory, I ſhall ſay no more of it in this Place.*

In the Reign of Edward *the* Second, *there is not ſo much to be excepted againſt as in the former; only contrary to the Teſtimony of almoſt all our Hiſtorians, he will needs make* P. 441. Henry *Earl of* Lancaſter *not Brother, but Son to* Thomas *who was beheaded, and blames (though without any juſt Cauſe) thoſe Writers who affirm the contrary.*

But the Two following Reigns will afford a more ample ſubject for our Animadverſions, *when under the Year* 1329 Tom. 2. p. 7. *he follows* Hector Boethius *in making the Lord* Edward Baliol, *being then in* Normandy, *to have been excited by one* Lawrence Twine, *a mean Fellow (who had fled out of* Scotland *into* France *upon his being Excommunicated) to renew his Father's claim to that Kingdom; whereas the Account I have given of that Tranſaction, from ſome of our* Engliſh *Hiſtorians, is much more probable, ſince the Lord* Beaumont, *who procured* Baliol's *Releaſe from the King of* France, *and brought him privately over into* England, *in order to that Deſign, was much more likely to have put him upon it, he being more able, (together with others of the ſame Party) to give him a powerful Aſſiſtance, and alſo might* *prevail with* King Edward *the* Third *to eſpouſe his Quarrel, as he did not long afterwards.*

P. 26. *Under* A. D. 1336, *he follows the Errors of* Froiſart, *in making* David *King of* Scots *to have return'd this Year into his own Country, and then to have invaded* England *with a great Army, and to have taken and burnt the City of* Durham, *and put the Inhabitants to the Sword; and in his Return to have beſieged the Caſtle of* Weark, *where the young Counteſs of* Saliſbury *then reſided; and gives the ſame* Romantick *Account of the raiſing of the Siege by King* Edward, *and of his Interview and Falling in Love with that Lady; all which being pure Invention, I have ſufficiently confuted in this Preface, to which I refer the Reader.*

P. 58. *Under the Year* 1377, *being the beginning of the Reign of* Richard *the* Second, *he not only juſtifies all the raſh and violent Proceeding of that unhappy Prince, but alſo paſſes a very ſevere and unjuſt Cenſure upon the* Engliſh *Hiſtorians of thoſe times in theſe Words;* that whoever will but examine this King's Conduct (notwithſtanding whatſoever the *Engliſh* Hiſtories, always unjuſt to Kings, and ever favourable to the People, ſhall ſay to the contrary) will find that he did not at all merit his Misfortune. *This, whether it were true or not, is beſt to be judged from his Actions, as they are even related by* Froiſſart, *his greateſt Vindicater, who in divers Places blames his unadviſed Proceedings, and his taking the Advice of young and unexperienced Councellors, rather then of thoſe who were more ſober and diſcreet; and eſpecially in his falſe and ungenerous Dealing with the Duke of* Lancaſter *his Coſin, whereby He gave him a juſt Pretence of doing whatever he could againſt him.*

But to ſay ſomewhat in vindication of our Engliſh *Hiſtorians, they are ſo far from being too ſevere to the Memory of our Kings, when they have carried themſelves like Fathers, and not as Tyrants over their People, that none can give them a higher Character, when they deſerve it; as appears by this very Author's Accounts of the Actions of* Edward *the* Firſt, *and his Grandſon* Edward *the* Third, *which are chiefly taken from our own Hiſtorians; though it muſt be confeſſed that none are more ſeverely juſt in their Characters of thoſe mean ſpirited unjuſt and Tyrannical Princes that have ſat upon the* Engliſh *Throne: And in both theſe they have imitated the ſincerity of*

Suetonius *and* Tacitus, *with the reſt of the* Roman *Hiſtorians: But that ours have been more hard and unjuſt to Kings, and partial to the People, than they ought, none but thoſe of this Author's Principles will affirm, ſince the* Engliſh *have never been deſirous of Change, till the evil Conduct and falſe Meaſures of ſome weak and ill adviſed Princes, that have gone about to ſubvert the very Fundamentals of our Government, made them ready to lay hold on the firſt opportunity of caſting off their Yoke.*

To conclude, I ſhall leave it to the impartial Reader to judge, which ſort of Writers are moſt to be commended and believed, thoſe that relate Matters of Fact truly and impartially, without ſparing the Memory of any undeſerving Prince; or elſe ſuch as are hired in a certain Country of Europe, *to write Panegyricks inſtead of true Hiſtories, and to juſtifie even the Vices and Perjury of their Kings, and the cruel Oppreſſion of their Subjects, by palliating them under the ſpecious Titles of Royal Prerogatives, and the neceſſary Means for the Preſervation of their Government, and advancing the Glory of their Monarch; to bring about which, nothing is with them counted unjuſt or unlawful. Upon theſe Principles (if Princes themſelves or their Flatterers may be Judges) none ever were or can be guilty of Tyranny or Male-adminiſtration.*

But to proceed, in the following Page the Author gives us a ſhort Character of King Richard *the* Second, *in which I will except againſt nothing (ſince I did not know him) but the great Courage and Clemency with which he ſuppoſes him endued; Virtues, which none but this Author ever gave him before: For how can he be called courageous, who never ſignalized himſelf by any Noble or Warlike Action? For as for both his Expeditions into* Ireland, *they were made with vaſt Armies againſt an almoſt naked and divided Nation; and as for his paſſive Valour, how meanly he behaved himſelf in the* Reſignation *of his Crown, the Hiſtory it ſelf declares. And as for his Clemency, how that can conſiſt with putting his own Uncle to Death contrary to Law, and cutting of ſo many Noblemen, and condemning others to die for Matters done above nine Years before, and thoſe indeed neceſſary for the Preſervation of the State, and which had been already Pardon'd in Parliament; I leave to the Conſideration of the Impartial Reader. Nay, the* Engliſh *Nobility were ſo far from not paſſing over* *the Faults of his Youth, that notwithſtanding his ſetting on, and ſecretly ſupporting his Favourite the Duke of* Ireland, *to raiſe a new War to cruſh the oppoſite Party, yet they never laid it to the King's Charge, but again quietly ſubmitted to his Government; and after thoſe Favourites were puniſh'd that had been the Cauſe of the Quarrel, they ſuffer'd Him, when He came of Age, to put in and out what Officers and publick Miniſters He pleas'd, till He had brought all Things to the ſame Confuſion as they were before. But the true Reaſon, why this Author ſo magnifies this King's Actions, is, Becauſe He was always Averſe to a War with* France, *and made a Truce and Match with that Crown upon very Mean and Diſadvantageous Conditions, to buy a few Years unglorious Quiet, and that contrary to the Opinion and Advice of the Duke of* Glouceſter, *and the Senſe of the Nation at that time; altho' there was another Reaſon, why King* Richard *might be ſo fond of this Alliance with* France, *becauſe He hoped for Aſſiſtance from thence (as* Froiſart *and others expreſly relate) to free Himſelf from the Duke laſt mention'd, and to be Revenged on him and his Party, for having Baniſhed or put to Death his Minions and Favourites: And all the Hiſtorians agree, That it was from the Advice and Incitement of the Earl of St.* Paul, *who came Ambaſſador to the King from the Court of* France, *that He was firſt excited to rid Himſelf of the Duke of* Glouceſter, *and the Earls of* Arundel *and* Warwick.

Ibid. 85. *But to return to this Author; who blindly following* Froiſart, *gives a very falſe Account of the reaſon of the Duke of* Glouceſter, *and the reſt of the Lords of his Party, their taking up Arms, after they had been Pardon'd by the King, and had promiſed to refer all Matters in Diſpute to the next Parliament; which this Author ſuppoſes to have happen'd from the King's going down with his Favourite into* Wales *after the Parliament was Summon'd; and that this hindred that Duke, and the reſt of the Lords, from diſmiſſing their Forces as they had promiſ'd: Of which, the King being inform'd, ſent Sir* Robert Treſilian *(who* Froiſart, *and this Author, from him, falſly calls the King's Chamberlain) to* London, *in a Diſguiſe; and that Lodging near the Place where the Confederate Lords held their Aſſemblies, he was diſcover'd by a Servant of the Duke of* Glouceſter's; *who thereupon cauſed him to be Seiz'd, and put to Death, without any regard to the King, of whom he was much beloved.*

But whoever will conſult Walſingham *and* Knyghton, *and compare their Relations with the Records of Parliament, ſhall find, that this is pure Invention; For the King was in or near* London *during all this Tranſaction, and went not into* Wales *(till his Voyage into* Ireland*) after he had agreed with the Confederate Lords: But the Truth is, That the Duke of* Glouceſter, *and the reſt of his Party, deſer'd the diſmiſſing of their Forces, till they might ſee what Courſe the Duke of* Ireland *and the reſt of the Favourites would take, who were now privately retired from the Court; and the next News thoſe Lords heard was, That the Duke laſt mention'd, by the King's Secret Orders, was levying an Army in* Cheſhire *and* Wales, *in order to march up to* London *and Subdue the Confederate Lords, and Reeſtabliſh Himſelf and His Accomplices in the Government: Upon which, the Duke of* Glouceſter *and the reſt of the Lords Muſtering up their Forces, marched againſt him, and put him to flight, in the manner as this Author truly enough relates: But that the King then went away with the Duke of* Ireland, *and ſent* Treſilian *as a Spy, to give an Account of the Lords Proceedings, is altogether falſe; for the King remain'd ſtill at* Weſtminſter, *and when He ſaw no hopes of any Succour from the Duke of* Ireland's *Forces, He was, after divers Delays and much Oppoſition on his part, forced at laſt to call a Parliament, as He had at firſt promiſed, and in which the Duke of* Ireland *and all the reſt of his Favourites were Attainted. But as for* Treſilian, *it appears on Record of this Parliament, that he could not be ſent by the King in a Diſguiſe to Spy out the Lord's Proceeding; but having been already Attainted in Parliament, for not appearing and anſwering to his Charge, he was taken in Diſguiſe in a Houſe near* Weſtminſter-Hall; *and being brought before the Lords, to ſee if he had any thing to ſay why Execution ſhould not paſs upon him according to the late Sentence; he having nothing material to alledge, was Executed accordingly: Nor do we find that the King ever interceeded for him, or indeed, uſed his Intereſt to ſave any of thoſe Offenders, except Sir* Simon Burley, *whom this Author makes to have been Beheaded before by the Sentence of the Duke of* Glouceſter *and the reſt of the Lords appointed Chief Governours of the Kingdom: But this is a great Miſtake, as I have already ſhewn; for this Gentleman was not Condemned to be put to Death until this*

Parliament, as the Rolls of it ſufficiently teſtifie, the ſum whereof the Reader will find in this Hiſtory.

The like Faults this Author alſo perſues in the reſt of the Relation of the King's Reign, by following the falſe Accounts of Froiſart*: For this Writer, tho' he often blames King* Richard's *Imprudent Actions, yet accuſes the Duke of* Glouceſter *of divers Crimes, which after his Death were never laid to his Charge, and of which if he had been Guilty he would certainly have been Attainted in Parliament for them; whereas we find nothing of that nature laid to his Charge, being only Accuſed for having taken up Arms, with the Earls of* Arundel *and* Warwick, *to remove the Duke of* Ireland, *and the reſt of the King's Favourites from his Perſon, and for which he was then* Murther'd *in Priſon, and Attainted by Act of Parliament, as you will find in the enſuing Hiſtory; where, ſince I have given a brief Anſwer to* Froiſart's *Accuſations againſt this Duke, and ſhewn the great Improbability of them, I ſhall ſay no more in this Place, but refer the Reader to the Work it ſelf.*

I ſhall now proceed to the latter part of this King's Reign, and ſhew you ſome other of this Author's Miſtakes, in ſo blindly following Froiſart's *Authority, and deſerting our* Engliſh *Hiſtorians, who write with far greater Truth and Probability; tho' I cannot ſo much blame him for following* Froiſart *in making the Duke of* Norfolk *to have firſt accuſed the Duke of* Hereford *of Treaſon, ſince* Polydore Vergil, *and ſeveral others of our* Engliſh *Hiſtorians fall into the ſame Miſtake, which I have rectified in the enſuing Hiſtory, from* Walſingham, *and the Records of Parliament: But this will bear no Apology, his making King* Richard *never to have left the Kingdom, or gone over into* Ireland *at all in the laſt Year of his Reign, and yet that there ſhould be ſuch an unanimous Rebellion againſt Him, that the Eſtates of the Kingdom ſhould meet and ſend over the Archbiſhop of* Canterbury *to the Duke of* Lancaſter, *then at* Paris, *to invite him to come over into* England; *which is ſo falſe and improbable a Story, that I wonder* Froiſart, *who was then no farther off than the hither Parts of* Germany, *or the* Low Countries, *ſhould ever come to be ſo ill-inform'd. But ſince I have ſufficiently refuted that Miſtake in the enſuing Hiſtory, I ſhall paſs it by, without ſaying any more of it, but only to obſerve, That this*

Author has been ſo far from avoiding the Errors committed by others, that he falls into ſeveral new Ones of his own, as appears, by his making the Chair in which the Kings of Scotland *were wont to be Crown'd, and which King* Edward *the* Firſt *cauſ'd to be brought into* England *and placed in* Weſtminſter-*Abbey, to be different from that fatal Stone ſuppos'd to have been* Jacob's *Pillow, and on which the* Scotiſh *Kings having been antiently Crown'd, there was an old Prophecy, That it ſhould one day carry that Crown along with it wherever it was removed; whereas indeed, theſe were not two different Chairs or Seats, but one and the ſame, that Stone being only inſerted or put under the fore part of the Chair, as it is to be ſeen at this day.*

I ſhall omit ſeveral other ſmaller Miſtakes, (indeed too many to be here ſet down) among which I may reckon his groſs ones in the Names of the Places and Noblemen of England, *which ſufficiently expoſes his Ignorance in both; for though* Froiſart, *being a Stranger, might plead ſome Excuſe for it, yet this Author, pretending to Write from our own Hiſtorians, which then I ſuppoſe lay before him, and who write the Names of Men and Places moſt commonly true, cannot pretend to the ſame Excuſe.*

But to pay this Writer a little in his own Coin, and to let the World ſee, that England *is not the only Country of Troubles and Inſurrections, I have been the more particular in ſetting forth the great Tumults and Commotions that aroſe in the City of* Paris, *and adjacent Countries, among the Peaſants, ſome time after the taking of their King* John *Priſoner by our* Edward *the* Black Prince; *and during which the* Pariſians *taking part with the King of* Navarre, *were very like to have ſet the Houſe of* Valois *aſide, and to have placed him on the Throne, had it not been out of Fear, leaſt his Competitor King* Edward *ſhould have taken the Advantage from their Civil Diſſentions, to have reduced* France *wholy under his Obedience. To conclude, I ſhall defer my farther Obſervations upon this florid, tho' careleſs Writer, till the next Volume; and then I will do the like for the reſt of thoſe King's Reigns I deſign to write, if God ſhall pleaſe to grant me Life and Health for ſo Laborious an Undertaking.*

I ſhall conclude this Preface with a few Words more, concerning the length of this Third Volume; for I doubt the Reader *at firſt ſight may think it too prolix, eſpecially in the two laſt Kings therein compriſed; but I could not well make it ſhorter, without doing Injury to the Work it ſelf; for, in Writing a juſt Hiſtory of this Kingdom, I would not omit the inſerting the moſt conſiderable Tranſactions of each Parliament from the Rolls themſelves, as far as they are extant; and alſo at the end of every Reign to give an Abridgment of the chief Statutes that were then Enacted, and which are ſtill in Force; and in doing theſe Things (which I hope I have done) as they ought to be, tho' the Work be ſomewhat longer, yet the Candid Reader will more eaſily excuſe it, ſince it is impoſſible otherwiſe to give an Account of Affairs moſt neceſſary to be exactly known and tranſmitted to Poſterity.*

However, To ſatisfie thoſe whoſe conſtant Employments in their reſpective Profeſſions will not afford them leiſure to read over bulky Volumes, as well as others whoſe Natural Tempers render them averſe to it, I intend (if God ſpare me life) to Epitomize thoſe I have Written, or ſhall Write hereafter, into as ſmall a compaſs as the Subject will bear without doing Injury to the Matters to be therein related; and I hope it will prove ſuch a one as may bear the Tranſlating into Latin, *or any Modern Language, for the Vſe and Information of thoſe Foreigners who do not underſtand* Engliſh, *and have no opportunity to learn it.*

THE

THE INTRODUCTION.

THE main Deſign of my *Introduction* to this Volume (as well as to the former) is to acquaint the Reader with ſuch Alterations, or new Inſtitutions in the *Civil* and *Eccleſiaſtical* Government of this Kingdom, as either have really been, or at leaſt by ſome are ſuppos'd to have been introduced within theſe Reigns, of which I have here given a true and faithful Hiſtory. The firſt and moſt conſiderable Change that I find alledged to have been made in the *Civil Conſtitution*, is the Summoning the *Commons* to our Parliaments under the Titles of *Knights*, *Citizens*, and *Burgeſſes*; which both Sir *Henry Spelman* and Mr. *Pryn* ſeem poſitive to have begun in the 49th Year of the Reign of King *Henry* the *Third*, though Dr. *Brady* will only allow them to have been Summon'd but once to a Parliament, even in this very Year, by *Simon Montfort*, and that too in a time of open Rebellion, when he and the Earls and Barons of his Faction had that King abſolutely in their Power, and kept his Brother the King of the *Romans*, and their Sons, like Priſoners, untill Prince *Edward* making his Eſcape, and ſetting himſelf free, joyn'd with the Earl of *Gloceſter* and other Barons of the Marches of *Wales*, by whoſe Aſſiſtance he fought that famous Battle of *Eveſham*, wherein *Montfort* and his Son were Slain, and He reſcued and reſtored to his Liberty and Government; after which the King reſolving to Act like a Conqueror, not only neglected to call the Repreſentatives of the *Commons* to any Parliament during his Reign, but He made the great Barons and Tenants *in Capite* the only Conſtituent parts of his Great Councils, wherein He enacted Laws, with ſuch others of his Privy Council as he was pleas'd to Summon: And thus the Doctor ſuppoſes it continued in his Son's Reign, only that he called ſeveral new Barons to Parliament by *Writ*, and again Summon'd the leſſer Tenants *in Capite* to appear there alſo, according to the Form of King *John*'s Charter; which with the Biſhops, Abbots and Earls, then made up the whole *Community* or Body Politick of the Kingdom in Parliament. And thus he ſays it continued till the 18th Year of *Edward* the *Firſt*'s Reign, when (as he further alledges) the King, at the Inſtance and Requeſt of the Earls and Barons of the Kingdom aſſembled in Parliament firſt ſummon'd the *Knights of Shires*, and about four Years after, the *Citizens* and *Burgeſſes*, to another Parliament at *Weſtminſter*; this mighty Change in the Civil Conſtitution being ſuppos'd to be brought about and ſettled in this King's Reign, with which I begin the preſent Volume.

At firſt I deſigned to have made this important Controverſy the main Subject of this Diſcourſe; but finding it hath ſwell'd to a Bulk beyond what will well conſiſt with an Introduction, I have order'd it to be Printed by it ſelf, as an *Appendix* to this Volume; that ſuch as deſire it ſhould be Bound up with the Book, may have it ſo if they pleaſe.

I ſhall not ſay any thing here of the Reaſons which induced me to undertake ſo laborious, and (as ſome may think) unneceſſary a Task; but will refer thoſe that deſire further Light in this matter to the Preface to that Diſcourſe, where I hope I have given a Satisfactory Account of the Reaſons that render'd this Performance, if not abſolutely neceſſary, yet at leaſt very fit and uſeful at this time.

The next Parliamentary Inſtitution (for I dare not call it a Change or Alteration, ſince it was without doubt much Elder then this King's Reign, though the Records of it are now loſt) is, that of the *King's Council* in Parliament, who were commonly ſummon'd thither by diſtinct Writs, entred in the *Clauſe Rolls* immediately after thoſe to the Lords Spiritual and Temporal. The Perſons ſo Summon'd to be of this Council were chiefly the Kin'g Great Officers of the Crown, as the Lord Chancellor, Treaſurer, and Chancellor of the *Exchequer*, the two chief Juſtices, the Juſtices of *King's Bench* and *Common Pleas*, with the Barons of the *Exchequer*, and Juſtices in *Eyre*, and *Itinerant*, Juſtices *aſſigned*, the Clerks of the Council (who were then all Clergymen) as appears by their ſeveral * Writs, the firſt to be found of this kind extant on the Rolls, being the 23d of *Edward* the *Firſt*, *M.* 9. *Dors.* and is almoſt the ſame with that of the Biſhops and Barons, being both alike Commanded to give their Advice, *ſuper quibuſdam arduis negotiis Nos & Regnum noſtrum tangentibus de Conſilio noſtro, &c.* without any Clauſe, *ad tractandum, &c.* which is the Diſtinction between their Writs and thoſe to the Peers. The chief Buſineſs of this Council was, to be the ordinary Aſſiſtants in Points of Law, both to the King and the Lords in all Cauſes, Controverſies and Queſtions of Moment, that came before them: And beſides this, they often Sate with the King alone, and gave Him their Advice in ſuch Matters, as came before Him by way of Petition in Parliament.

* *See Mr.* Pryn's *firſt Part of the Regiſter of Parliamentary Writs, p.* 341. 342.

Theſe Petitions were then commonly directed, as appears by their Titles on the Rolls, to the King and his Council in Parliament; and the King's Anſwers to ſuch Petitions, eſpecially concerning Grievances either from the Clergy, the Lords or Commons, were oftentimes the only Acts or Statutes that were made for the redreſſing of them; as the Reader may obſerve by the manner of the King's paſſing ſeveral Acts, only by way of Anſwer to the Petitions of the Lords and Commons, and as we may ſee was practiſed in the King's Anſwer to that Great Petition of *Right* in the fourth Year of *Charles* the *Firſt*.

This Council alſo, with the Aſſiſtance of a Committee of ſuch Biſhops Lords and others, as the King or Houſe of Peers pleas'd to appoint, drew up all Bills into the Form of Acts, ſometimes before, and ſometimes after the Parliament was riſen, which in thoſe Reigns we now treat of, Sate for the moſt part but a very ſhort time, and ſo had not leiſure to ſee the Acts themſelves drawn up with that Formality as they were afterwards publiſhed. But I cannot forbear taking notice of a very great miſtake in Doctor *Brady*'s *Introduction* to the Hiſtory of *England*; in which, becauſe he found it recited in the Titles to the Statute of *Bigamy*, 4 *Edw.* I. and that of *Mortmain* and *Acton Barnel*, and other Statutes in *Edward* I. his Reign, that they were made by the King and his Council in Parliament, that therefore this Council had as great a hand in paſſing thoſe Acts into Laws, as the Peers themſelves, whoſe Conſents (as well as Advice) was always neceſſary thereunto; whereas the Advice of the former was no farther neceſſary, than as the King and Lords thought fit to make uſe of them, and at laſt they took this Buſineſs wholly out of their hands into their own, as alſo the *Commons*, when they became a diſtinct Houſe, did the drawing up of all Bills, that concern'd themſelves, or that began there; yet that the conſent of this Council was not neceſſary, or even given as a diſtinct Eſtate of the Kingdom, Mr. *Pryn* himſelf might have inform'd the Doctor in the ſame Treatiſe already cited, if he had been as mindful to follow him in this, as he is other things, wherein that Author hath written according to the Doctor's notions.

Regiſt. of Parliamentary Writs, Tom I. *p.* 362.

I ſhall ſay no more of this Council in this Place, but that it was no part of the King's Privy Council, which ſate conſtantly, and this only in Parliament time; but the extraordinary Power of this Council, dwindled away by degrees, and became at laſt ſettled in the Court of *Star Chamber*, in *Edward* the *Third*'s time, and had afterwards other greater Powers annexed to it by the Statute of *Henry* the *Seventh*, Cap. 3. tho' the firſt Memorial of this Council's Sitting as a Court by its ſelf in the *Star Chamber* is to be found on the Clauſe Roll 41 *Ed.* 3. upon a Complaint of *Nicholas Audley*, Plaintiff againſt *Jane Audley* Defendant, who appeared before the King's Council, there mentioned by name, being the Lord Chancellor, Treaſurer, Juſtices and Barons of the *Exchequer*, with ſome others, and as the Record ſays, were aſſembled *en la Chambre des Eſtoiles pres de la* * *Receipt:* But this Court of *Star Chamber* becoming very grievous and oppreſſive by reaſon of its Severe and Arbitary Proceedings in fining, impriſoning and inflicting other Corporal Puniſhments beyond what the Crimes could deſerve, was by a Statute made in the Sixteenth Year of King *Charles* the *Firſt* wholly diſſolved, and taken away, as prejudicial to the Rights and Liberties of Free-born *Engliſhmen*.

See more of the Original of the Court of Star Chamber, *in* Coke's *4th. Inſt. p.* 62.

* i. e. *The Office of the Receipt in the* Exchequer.

To conclude this Head concerning the King's Council in Parliament; the only Remains of it ſtill continue in the Judges of both Benches, the Maſters of Chancery and King's Serjeant and Attorney, who ſit on the Wooll Packs in the Houſe of Lords to aſſiſt them with their Advice in Matters of Law, whenever they are required ſo to do.

The next Alteration, or rather Innovation in Parliamentary Proceedings, is, that Power the Houſe of Commons firſt took (as far as I can find by the Parliament Rolls) in the latter end of the Reign of King *Edward* the *Third*, of Impeaching any Perſons, whether Lords or others, of *High Treaſon*, or Miſdemeanors before the Peers in Parliament; though this way of Proceeding, againſt ſuch great Offenders became more Common in the Eleventh Year of *Richard* the Second, when they impeached the Arch-biſhop of *York*, the Duke of *Ireland*, with ſeveral others, of High-Treaſon; and at the ſame Time alſo Sentenced moſt of the Judges of *England*, ſome to be Hanged, and others to be Baniſhed into *Ireland*, for certain Arbitrary and Illegal Opinions they had not long before given the King under their hands.

But as for the Proceſs againſt the Duke of *Gloceſter* and Earl of *Arundel*, with the reſt of the Noblemen and Gentlemen, who had been of their Party, they were not impeached by the *Commons* in the Parliament of the 20th of *Richard* II. but by certain Lords Appellants, who then took upon them their Proſecution, and Proof of the Articles given in againſt them, and upon which they were Attainted, and moſt of them Condemned to be Beheaded; only the Earl of *Warwick*, upon the acknowledgement, and begging pardon for his Offences, was to be kept a Perpetual Priſoner in the Iſle of *Man*, and the Duke of *Gloceſter*, being by his Keeper the Earl *Marſhal* returned dead of an Apoplexy at *Calais* (though indeed privately Murder'd there) was attainted by Act of Parliament: But ever ſince the Reigns laſt mention'd, eſpecially in that of *Henry* the *Sixth*, Impeachments of Great Officers of the Kingom, or others, by the *Commons* in Parliament, have been often practiced, though more frequently in modern Times.

But before the Reign already aſſigned I do not find by any Records, or Hiſtorians now extant, that the Commons ever took upon them to Impeach any Perſons after that Manner; the uſual way of Proceeding againſt Offenders in Parliament, before that time, being by Acts of *Attainder* or *Baniſhment*: Thus was *Pierce Gaveſton* removed for ever from the King's Perſon, and Baniſhed out of *England* in the beginning of the Reign of *Edward* II. the like is to be ſaid of the Baniſhment of the *Spencers*, Father and Son, which was done about the middle of the ſame Reign; both which Proſecutions began with the Lords, who were their Chiefeſt Enemies and Accuſers.

Before I conclude this Head concerning Parliamentary Proceedings, I muſt here obſerve it was towards the latter end of this Period, that the Phraſe or Expreſſion of all the *Eſtates* of Parliament (conſiſting of the Biſhops, Abbots, with the Clergy, and Lords Temporal and Commons) began firſt to come in uſe; being borrowed from the like Phraſe then uſual in *France*: The firſt time we meet with it is, in the 5th Year of *Richard* II. Cap. 2. ſo likewiſe in the Preamble to the Statute of the 16th of that King, Cap. 5. where the Commons pray him *To examine all the Lords in the Parliament as well Spiritual as Temporal and all the Eſtates of Parliament, &c.* by which it appears that the King was not then accounted as one of the Eſtates, though afterwards, in the * Second Year of *Henry* the *Fourth*, it ſeems as if he were then reckon'd among them, as you may find by an Addreſs the Commons then made to that King in Parliament, wherein they tell him, That *the Eſtates of the Realm may very well be reſembled to a Trinity, to wit the Perſon of the King, the Lords Spiritual and Temporal, and Commons*; and then follows their deſire that the King would make up the Quarrel between the Earl of *Rutland* and the Lord *Fitz Walter*.

* *Rot. Parl.* 2 H. 4. *m* 12. *n* 32.

The next Parliamentary Alteration I am to take notice of, began about the end of the Reign of King *Henry* the *Third*, and was in reſpect of the ancient Barons of *England* by *Tenure*; many of whom dying ſome time before, without Iſſue Male, or elſe being kill'd in the Battel of *Eveſham*, and their Heirs reduced to a low Condition by the great Fines that were impos'd upon them by the Sentence or Decree of *Kenelworth*, the King took hold of that Opportunity of leaving out whom of them He pleas'd, and calling others by Writ who were not anciently Barons, to ſerve in their ſteads; and many of theſe enjoy'd that Title to them and their Heirs: Which Courſe was alſo followed by his Son King *Edward* I. who had an opportunity of calling many new Barons to Parliament, upon the Death of ſeveral of the old ones without Iſſue, who Died in the long Voyage they made with that Prince to the *Holy Land*; ſo that in the Reign of *Edward* the *Third*, this King's Grandſon, that antient

Vid. Camden's *Preface to his* Britan. *Engl. Edit.* Spelman's Gloſs. Tit. Baro *p* 66.

antient Dignity of Barons by *Tenure* dwindled by degrees into that *Titular* Honour we now ſee at this day, diſpoſable by the King's Writs or Letters Patents; in the laſt of which there is moſt commonly a particular Clauſe inſerted, whereby there is granted to the Peer ſo created, and his Heirs, a Place and Seat as a Baron among the other Barons in all Parliaments to be held by the King and his Succeſſors.

And though a General Summons by Writ to a Nobleman or Gentleman to Parliament, to treat with the King and the reſt of the Prelates, and Greatmen of the Kingdom is looked upon at this day to give the Perſon to whom it is directed a Place in Parliament to Him and his Heirs for ever, whether Male, or Female, yet anciently it was not ſo; ſince Mr. *Pryn* hath given us ſeveral Inſtances of divers Noblemen, who were called to Parliaments once, twice, thrice, or oftener, and they and their Sons not being conſtantly Summon'd, they were quite omitted, and not reckon'd any more among the Barons of the Kingdom; and theſe I conceive were the Perſons, which in the *modus Tenendi Parliamentum*, and Parliament Rolls of *Edward* the *Third* and *Richard* the *Second*, are often mention'd after the Barons, by the Title of *Pares Baronum*, *i. e.* Barons Peers, or elſe of *Autres Grantz*; and theſe continued to be ſo ſummoned, till about the middle of *Richard* the *Second*'s Reign, when a Summons by Writ was looked upon to confer a conſtant Title and Place in Parliament to the Party ſo ſummoned and his Heirs, as appears by the Example Mr. *Selden* hath given us of Sir *Thomas Camoys*, who being choſen a Knight of the Shire for the County of *Surrey*, was, by the King's Writ, directed to the Sheriff of the ſaid County, ordered to be diſcharged of that Employment, and another choſen in his room, becauſe he was a *Banneret*; by which Title Mr. *Selden* underſtands ſuch a one, who by himſelf or Anceſtors had been oftentimes ſummoned to Parliament by Writ, though without any Barony by *Tenure* annexed to it: And this way of Creation of Barons by *Writ* is attended with this Advantage, That for want of Heirs Male, it deſcends to a Daughter. But this way of creating Barons was not ſo much in uſe, when the other of making them by *Letters Patents* came in faſhion; the Firſt of which kind, that we can diſcover upon the Rolls, being *John* Lord *Beauchamp*, who (as Mr. *Selden* informs us) was created Baron of *Kederminſter* by King *Richard* II. as appears from the *Letters Patents* to him and his Heirs Males, as that Honour is moſt commonly granted at this day, unleſs the King pleaſes to limit it further to ſome particular Perſons in *Remainder*: And yet the old way of making Barons by *Writ*, is not wholly diſuſed, the King ſometimes calling up the Eldeſt Son of a Duke, Earl or Baron, by a *particular Writ* directed to him for that purpoſe; though it is now declared by a late Reſolution of the Lords in Parliament, That ſuch a Summons ſhall not create any new Title of Honour to the Deſcendent of any Nobleman ſo ſummoned.

Ib. p. 237.

Tit. of Honour, Part 2. *Cap.* 5. *p.* 609. 610. *Rot. Clauſ.* 7 *Rich.* 2. *m.* 32.

As for the Creation of *Earls*, that was antiently perform'd by the King's Girding a Sword about them, and thereby delivering them the Cuſtody of the County they were to command, with the *Third Peny* out of the Pleas of the County Court; and aſſigning them their Places accordingly, amongſt the reſt of the Earls of the Kingdom, without any *Letters Patents* of Creation: The antienteſt of which, that we know of, and as I can find, was that of the Empreſs *Maud* to *Geoffery de Mandeville*, Earl of *Eſſex*, which you may find in *Selden*'s *Titles of Honour*. And during the Reigns of the Firſt Three *Edwards*, and *Richard* the *Second*, when Dukes and Earls were created by *Letters Patents*, even that was often not thought ſufficient, until they had their *Charters* confirm'd by Aſſent of Parliament, where they being ſolemnly introduced, and Girded by the King with a Sword, and Inveſted with the Cap and Robes ſuitable to their Dignities, they took their Places among the reſt of their Peers. This may be proved from divers Inſtances and Precedents, not only mention'd by our Printed Hiſtorians, but which are alſo found upon the Parliament Rolls themſelves: But this way of confirming Peers by Act of Parliament, grew into Diſuſe in the Reigns of King *Henry* VI. and *Edward* IV. for which I refer the Reader to Mr. *Selden*'s learned and elaborate Work of *Titles of Honour*.

Rot. Clauſ. 21 *Rich.* 2. *m.* 14.

Par. 2. *p.* 624

I was about here to inſert a Hiſtory of Money and Coinage ſince the Conqueſt; but there being, during the Period I now write of, no Alteration made in the antient *Engliſh* Standard, Silver being now worth Twenty Pence the Ounce, I ſhall defer the treating of it till my next Volume; only ſhall here obſerve that the intrinſick Value of every Peny of thoſe times (which was then the largeſt Silver Piece of *Engliſh* Money) was really worth our preſent Threepence, as appears by that antient Standard, commonly known among Goldſmiths by the name of a *Threepeny weight*, at this day.

But as for the Value of *Gold* in Compariſon to *Silver*, it bore in that Age we now write of near three times a higher Value, then it does at this day, ſince the Diſcovery of the *Weſt-Indies* and the Sea-Coaſt of *Affrica*, whereby a Trade hath been eſtabliſhed in *Guinea* and other Places on that Coaſt for Gold Duſt and other Commodities; before which times, there was little or no *Gold* brought into *Europe*, but what came by the Merchants of *Spain* and *Italy*, who Traded with the *Moors* of *Barbary*, by bartering Cloth and other Commodities for *Gold* in Duſt, which was brought them out of the more inward Parts of that Continent, where it is waſhed down from the Mountains, and left in ſmall Particles mixed amongſt the Sands.

But the Reader may take notice, That though we had ſome *French* and *German Gold* Coins that went current in *England*, yet there was none coined here until *Edward* the *Third*'s time, who, in the 18th Year of his Reign, firſt coined the *Golden Noble*, of the Value of about Twenty Shillings at this day, and on which you will ſee the Figure of this Prince ſitting in a *Ship*, bearing a Shield of *France* and *England* quarter'd on his Arm, to expreſs his Sovereignty over the *Britiſh* narrow Seas. And thô I have already taken notice in my laſt Volume, That King *Henry* the *Third* coin'd a ſmall Piece of Gold, of the Value of Twenty Pence *Sterling*, and equal to about Five Shillings of our preſent Money, yet the City of *London* being diſcontented at it, as ſuppoſing it to be ſet at too high a Rate, it was ſoon called in, and no more of them coined afterwards, as I have ſhewn in the former Volume.

Lownds Eſſay of Coins, p. 35.

I hope it will not be thought foreign to the Deſign of this *Introduction*, if I give you a Brief Account of the Claim which King *Edward* the *Firſt* laid to be ſupreme Lord of *Scotland*, upon his being made Arbitrator by the Eſtates of that Kingdom, in that great Diſpute about the Succeſſion of the Crown; which He would not undertake to decide, before all the Competitors to it had ſeal'd an *Inſtrnment*, wherein they publickly acknowledged his *Right*: The Original whereof, under all their Seals, is not only preſerved in the *Cottonian* Library to this day, but there are divers Authentick Copies of it entred, by that King's Order, in the *Leigier Books* of ſeveral Monaſteries, and are there likewiſe ſtill to be found; which may ſerve to confirm the Authority of *Matt. Weſtminſter* and *Tho. Walſingham*, who have alſo entred it in their reſpective Hiſtories. But beſides all this, there is ſtill preſerved a Noble Monument among the Records of the *Tower*, entituled, *Rotulus Scotiæ de Superioritate Regis*; in which is contained at large a faithful and exact Account of King *Edward*'s demanding an Acknowledgment from the *Scottiſh* Clergy, Noblemen and Commons, of his ſaid *Superiority*, and that it was then ſolemnly own'd by them, thô afterwards they recanted it: And it alſo ſets forth the manner of *John Baliol*'s doing his Homage to that King, after he had adjudged the Crown for him; and likewiſe the Homages that were then made by the *Scottiſh* Biſhops and Lords. All which will ſerve evidently to confute the falſe Relations of *Boethius*, *Buchanan* and other *Scottiſh* Hiſtorians, concerning this Affair; who ſuppoſe that King *Edward* had made a ſecret Bargain with *Baliol* beforehand, to paſs Sentence in his Favour, and to confer the Crown on him, provided He would do Him Homage for it; which *Bruce* (as they ſay) refuſed: Whereas it appears by this Record, That the King did not give any Judgment in this Caſe, without the Adviſe and Conſent of the *Scottiſh* Prelates and Noblemen, who were, by the Eſtates of both Kingdoms, appointed his Counſellors and Adviſers in this ſo high and difficult a Caſe, the like to which I do not find in any Antient or Modern Hiſtory. And as for the Competitors, (of whom *Baliol* and *Bruce* were the chief) they had no reaſon to count themſelves injur'd in the Acknowledgment they made of King *Edward*'s being Superior Lord of *Scotland*; becauſe they themſelves declar'd they did it *ex animo*, willingly, as appears by their Charter of Submiſſion already mention'd, under their reſpective Seals; and among which is alſo found the Acknowledgment of *Robert Bruce* the Elder, Father to him who ſome Years after ſhook off the *Engliſh* Yoke, and made Himſelf King of *Scotland*.

I ſhall not here enter into Debate concerning the Juſtice or Legality of this Homage and Superiority then claim'd by King *Edward* the *First*, and afterwards by his Grandſon *Edward* the *Third*, over *Scotland*; but only obſerve, That it was at that time the current Opinion of thoſe who pretended to any Skill in Antiquities, that it was this King's and his Predeceſſors undoubted Right; which appears by that famous Epiſtle the King himſelf ſent to the Pope, to aſſert and prove his being ſuperior Lord over *Scotland*: The Authorities therein produced are collected out of our moſt antient *Engliſh* Hiſtorians, and the Chronicles of ſeveral Abbies. This Epiſtle to the Pope was not long after ſeconded by another from almoſt all the Earls and Barons of *England*, under their Seals, at the Parliament held at *Lincoln*, in the Year 1300. being the 27th of this King's Reign; wherein they not only aſſert the King's Right, as Supreme Lord of *Scotland*, but ſo far inſiſt upon it, as boldly to declare, *That if He ſhould go about to part with it, they would by no means permit Him ſo to do*; as you will read in the enſuing Hiſtory.

But the *Scottiſh* Nobility and Gentry were not leſs reſolute to maintain the juſt Right of their Kings, and Liberties of their Country, as appears by that remarkable Letter which was ſent to the Pope, about Twenty Years after this, from *England*, under the Seals of all the Earls and chief Barons of *Scotland*, where having now obtain'd great Advantages over the *Engliſh* in the following King's Reign, the Pope wrote to them to forbear thoſe Hoſtilities: In Anſwer to which, they do in this Letter ſet forth the Antiquity and Independency of their Kings, and the unjuſt Pretences of any ſuch Superiority by thoſe of *England*; farther declaring, *That as they would ſtand by their King* (Robert) *to maintain their Liberties to the utmoſt of their Power, ſo if he ſhould go about to ſubject their Country to the* Engliſh, *they would lay him aſide, and chuſe another King, who would better defend his Country; and therefore deſire his Holineſs's Mediation with the King of* England, *That he would deſiſt from his unjuſt Demands.* This Letter bears Date at *Aberbroth, Anno Dom.* 1320. being the Fourteenth Year of the Reign of *Robert Bruce*. You may find it Printed in the *Appendix* to the Reverend Dr. *Burnet*, now Lord Biſhop of *Salisbury*, his Second Volume of his Hiſtory of the Reformation, *N.* 10.

This Claim of Homage was vigorouſly maintained all the Reign of *Edward* the *Firſt*; but when towards the end of it *Robert Bruce* abovementioned, had made himſelf King of *Scotland*, not long after the Death of that Victorious Prince, by reaſon of the mean Spirit and ill Conduct of his Son *Edward* the *Second*, the *Engliſh* were not only quite beaten out of *Scotland*, but the *Scottiſh* King had reduced three of the Northern Countries to his Obedience; and our *Edward* having much ado to defend the reſt, it was no wonder if the further inſiſting upon this *Superiority* was then laid aſide: But in the begining of the Reign of *Edward* the *Third*, after his firſt unſucceſsful Expedition againſt the *Scots*, there was a Peace ſuddenly Clapped up between the two Kingdoms, when, in conſideration of a Marriage to be Solemnized between *David* the Young King of *Scots*, and *Joan* King *Edward*'s Siſter, He renounced for Himſelf and his Succeſſors all Right of Homage from, and Superiority over that Kingdom, and then deliver'd up the Original Charter of the Homage of *John Baliol* late King of *Scots*, beſides divers others Charters and Inſtruments relating to that Affair.

However this being done during the King's Minority, and whilſt he was under the Power of the Queen his Mother, and her Favorite *Roger Mortimer*, it was quickly after revoked; for no ſooner did this Young Prince gain Power and Experience upon their being removed from the Government, but he took another Courſe; for when *Edward Baliol*, Son of *John* abovemention'd, by the means of a few *Engliſh* Volunteers who were rais'd by the Lord *Beaumont* and other Noblemen that had loſt great Eſtates in *Scotland*, had invaded that Kingdom, and contrary to expectation put to flight two ſeveral Armies, raiſed by the then Governor of *Scotland* on the behalf of King *David*, at that time a Minor, and that *Baliol* had thereupon caus'd himſelf to be crown'd King of that Kingdom, then our *Edward*, renouncing his former League and Agreement with his Brother-in-Law, as being done whileſt he was under Age, (as is ſaid before) immediately join'd his Forces with thoſe of King *Baliol*, and having received his Homage for the Crown of *Scotland*, beſides a Grant of *Edenburgh* and the Countries adjacent, he not only ſubdued the greater part of *Scotland*, but alſo forced King *David*, with his Queen, to paſs over into *France*, where they continued for near the ſpace of Ten Years enſuing.

But our King *Edward* being not long after engaged in a long and expenſive War with *France*, the *Scots* laid hold of this Opportunity, not only to expel *Baliol* and his Party out of *Scotland*, but alſo to recover the greateſt Part of the Kingdom for their natural Prince, whom they at laſt ſent for over to receive the Government into his own hands. Not long after this he invaded *England*, but his Army being totally Defeated, and great Part of it deſerting Him at the Battel of *Nevil*'s *Croſs*, He was there taken Priſoner, and ſo kept in ſeveral Places in *England* for divers Years; till at laſt, upon the Declining of King *Edward*'s Succeſs in *France*, he was perſwaded to admit the *Scottiſh* King to be ranſom'd for the Sum of Threeſcore thouſand Marks, and to be releaſed without doing any *Homage*, though King *Edward* at firſt mightily inſiſted that he ſhould; but the *Scottiſh* Nobility would by no means allow of it, and ſaid they would never receive him if he did it; therefore upon his Payment of part of the Money a *Truce* was made with that King and Nation for *Twenty* Years enſuing; but for all that it was frequently broken, ſometimes on the *Scottiſh*, and ſometimes on the *Engliſh* ſide, and as often pieced up again in the Reign of *Richard* the *Second*, till towards the latter end of it, when the *Scots* were included in that long *Truce* of *Thirty* Years, made between that King and *Charles* the *Sixth* his Father in Law: And after this time I do not find any *Homage* ever demanded by the Kings of *England* from thoſe of *Scotland*; though I grant that there are among the Archives in the Chapter-houſe at *Weſtminſter*, in ſeveral Boxes in the Great Cheſt, Entituled *Scotia*, ſtill preſerved, divers Charters under Seal, that ſeem to acknowlede the *Superiority* of the Kings of *England* over *Scotland*, and the *Homage* due from them on that Account; and that theſe Inſtruments written in Latine have ſpecious Titles.

The firſt of them is a pretended Grant (or Confirmation) from *David* II. King of *Scots* to the Lords and Noblemen of *Scotland*, of ſeveral Rights and Privileges, with a Clauſe of *ſaving the Right of the* Superiority *of the King of* England *over that Kingdom.* This bears date in the Firſt Year of this *David*'s Reign, at a time when there was open War between *England* and *Scotland*, and when that King utterly diſclaim'd any ſuch *Superiority*; ſo that there needs no other proof to Demonſtrate the Forgery of this Charter.

The Second Inſtrument is of another like Ratification from King *Robert* I. to the ſame Noblemen, and of the like Privileges too; in which is alſo recited at length a pretended Charter of *Homage*, ſuppoſed to be made by *Alexander* King of *Scots* to *Henry* the *Third* of *England*: This bears date in the firſt Year of King *Robert*, at a time when the two Kingdoms were in perfect Peace; and is certainly a Forgery.

The Third is a Charter of King *Robert* the *Second* (as is ſuppoſed) to the Great Chamberlain of *Scotland*, reciting, That whereas He had lately received the *Homages* of the Earls and Barons of his Kingdom, *yet it was to be with a* Salvo *of the* Fealty *and* Homage, *which they owed the King of* England *as Superior Lord of* Scotland: But ſince neither this King, nor his Predeceſſors of the Family of the *Bruces*, ever acknowledged any ſuch *Superiority*, or did any ſuch *Homage*, there needs no further confutation of this Inſtrument any more then of the reſt. And whereas Dr. *Brady* hath in his Hiſtory tranſcribed a Charter of *Homage*, pretended ed to be made by King *David* II. to our *Edward* the *Third*, in the Ninth Year of his Reign; ſince I have in the enſuing Volume ſufficiently confuted and expoſed the ſpuriouſneſs of that Inſtrument, I ſhall ſay no more of it in this Place.

But perhaps it may be here enquired, Who it was that was ſo bold as to forge theſe Charters? As for that laſt mention'd, I cannot juſtly ſay, only that it was made after that King's time, and perhaps by the ſame Perſon who forged all the reſt, * for by an Antient Book in the keeping of the King's *Remembrancer* of the *Exchequer*, there is entred a *Memorandum*, That all the three Charters before mention'd were deliver'd into the *Exchequer* by Indenture between *John* Earl of *Shrewsbury*, then Lord Treaſurer of *England*, and *John Harding* Gentleman, in the 36th Year of the Reign of King *Henry* the *Sixth*. This *Harding* was a Poet and an Hiſtorian, and had been ſent, not many Years before, by that King into *Scotland*, and had King *Roberts* Letters of ſafe Conduct for that purpoſe; and * *Pitzeus* tells us it was in this Journey, that he pretended to have made himſelf Maſter of thoſe rare Charters by finding means to ſteal them away from the Place wherein they were kept: This will alſo ſerve to confute that falſe Relation in * *Hall*'s Chronicle, concerning the Homage done by King *James* the *Firſt* to our *Henry* the *Sixth*, in the Second Year of his Reign, which that Author has ſet down at large; for thô this Homage is alſo recited in the * Declaration of War by King *Henry* the *Eighth* againſt his Nephew *James* the *Sixth* of *Scotland*, Printed in the ſame Chronicle, yet it is certainly a forged Piece; becauſe had any ſuch Homage been made, there would ſurely have been ſome *Inſtrument* or *Memorandum* of it left upon Record, concerning ſo Remarkable an Action; whereas there is no ſuch thing to be met with, or if there had, it muſt ſtill have been a Forgery, becauſe this King always refus'd to do any Homage to King *Henry* the *Fifth*, and it is not likely He would do that to his Son, then an Infant, which He had refus'd to the Father, who was one of the greateſt and moſt Warlike Princes of his time; nor would the *Scots* have eaſily received this King to Reign over them, had He done ſo mean a thing in their Opinion, as to Subject the Crown of *Scotland* to that of *England* by this ſuppoſed Homage.

* *For this Note, as alſo the Sight of the ſaid Charters, I have been beholden to the Learned and Ingenious Mr.* Rymer, *Hiſtoriographer to Her Majeſty.*

* *De Scriptoribus Anglicis ad An.* 1461.

* P. 86. *b.*

Ib. p. 152.

And it further appears, That neither King *Edward* the *Fourth*, nor *Richard* the *Third*, nor *Henry* the *Seventh*, upon the ſeveral Truces and final Peace made with that Kingdom, did ever demand or inſiſt upon any ſuch Homage: For when King *Henry* concluded a Match between his Eldeſt Daughter *Margaret* and *James* the *Fourth*; and alſo that *Henry* the *Eighth* made a Defenſive War by his Lieutenant the Earl of *Surrey* againſt that Prince, who was Slain at *Flodden Feild*; I do not find any Homage ever to have been demanded by Him, before this Declaration of War abovementioned againſt King *James* the *Fifth*; which was in the latter end of *Henry*'s Reign.

Thus I have given you a brief Account of this great and troubleſome Affair, concerning the Claim of Homage of our Kings upon them of *Scotland*, which began in the time of *Edward* the *Firſt*, and was often inſiſted on till towards the end of his Great Grandſon *Richard* the *Second*'s Reign: And whilſt this Claim continued, it was one great Cauſe of thoſe bloody Wars and long Enmities between the two Nations, for near Two hundred Years, and which indeed could never be quite extinguiſhed or taken away, until the Succeſſion of King *James* the *Sixth* of *Scotland* to the *Engliſh* Throne. But I hope now to ſee that good Correſpondence preſerved by a firmer and ſtricter Union between the two Kingdoms; ſo that we may never have any freſh Occaſions of Sheathing our Swords in each others Bowels. I likewiſe hope the Reader will pardon me, if I have dwelt a little longer on this Subject, than I at firſt intended; ſince it gives light into divers Pieces of Hiſtory, which though uſeful, yet are not commonly known.

I ſhall conclude this Introduction with an Account of ſome remarkable Alterations in Eccleſiaſtical Matters, that happened within this Period. The Firſt is that of Summoning the Deans, Archdeacons and Proctors of the Inferiour Clergy, to Parliament; together with the Biſhops, Abbots and Priors, who held by Barony, and made a part of it before: The firſt Inſtance of this kind is upon Record in the Cloſe Rolls of the 23d of *Edward* the *Firſt*, *Anno Dom.* 1295. where is inſerted that memorable Clauſe of *Præmunirentes*, into the Writs of Summons to the Biſhops; whereby they are required *To* præmoniſh *the Deans, Priors, Archdeacons and Chapters of their reſpective Cathedral Churches; the Archdeacons in their proper Perſons, the Chapters by One, and the Clergy of every Dioceſe by Two Proctors ſufficiently impower'd, to be preſent at the Parliament, together with the King, to treat of and conſent to ſuch things as ſhould be ordain'd by the Common Council of the Kingdom.* This is the Effect of that remarkable Clauſe that ſtill remains in the Writs of Summons to the Biſhops, though none but they come now to Parliament by Vertue of that Writ, as I ſhall farther ſhew hereafter. *M.* 3.

I cannot deny, That the Deans and Archdeacons, with the Proctors for the Chapters of Cathedrals (as appears by our antient Hiſtorians and Records) were ſometimes ſummoned to Great Councils or Parliaments long before this; and that the Proctors of the Inferiour Clergy abovementioned, were by the Mandate of the Archbiſhop likewiſe ſummoned to meer Eccleſiaſtical Synods and Convocations, ſome Years before the 23d of *Edward* the *Firſt*, ever ſince the Year 1282. or thereabouts; yet thus much is certain, That the Proctors of the Inferiour Clergy never were Summon'd to Parliament till this Year; when the King being deſirous to have a great Tax from them, to carry on his Wars againſt *France* and *Scotland*, with both which he was then engaged, reſolved to order the Biſhops to Summon them to this Parliament, together with themſelves; not for any Spiritual or Eccleſiaſtical Buſineſs, but purely to grant the King ſuch an Aid as his preſent Neceſſities did then require.

But the Clergy finding this was not intended by the King, as any Favour or Privilege to them, but purely to get Money from them, it is no wonder that they did what they could to excuſe themſelves from coming to Parliament at all; which yet they could not altogether avoid complying with, during this King's Reign, nor that of his Son *Edward* the *Second*, and Grandſon *Edward* the *Third*. And thus the Inferiour Clergy continued (though not conſtantly) to appear in Parliament, by Vertue of that Clauſe of *Præmunientes*, until about the middle of the Reign of *Henry* the *Sixth*, when their Appearance in Parliament came to be wholly diſpenſed with: And oftentimes before, ſo long as the King found He could do the ſame thing, that is, get Money from them, whenever He wanted it, in thoſe Provincial Convocations, which were ſummoned by the Two Archbiſhops at his Command; He did not ſtand much upon it, which way they appeared: Yet which way ſoever they were aſſembled, they always gave their own Taxes by themſelves, as a diſtinct Eſtate from the Lay Commons; though we cannot find that they had a Negative Vote in other Matters, or that their Proteſtations againſt the paſſing of any Law, to be enacted by the King and the other *Eſtates*, were thought ſufficient to put a ſtop thereunto; as in the Caſes of *Mortmain*, *Proviſions*, *Eccleſiaſtical Courts and Cauſes*, &c. might eaſily be made appear, were it the Deſign of this Introduction to write a particular Hiſtory on this Subject.

Therefore to conclude, I ſhall farther obſerve, That though whilſt the Clergy continued to act in this Capacity, they made one of the Eſtates in Parliament, yet it was only for the Purpoſe abovemention'd, or elſe for preſenting their Petitions to have ſuch Grievances redreſſed, as they then conceived they lay under; upon the granting of which, they ſtill gave the King Money: However afterwards we often find them, though by the means of the Biſhops, preferring ſeveral Bills in Parliament againſt the *Lollards* or Hereticks of thoſe times, in the Name of all the Clergy of *England*. The Reader is likewiſe here to take notice, That theſe *Parliamentary Conventions* of the Clergy differed very much from thoſe *Provincial Convocations* abovementioned; which at firſt were ſeldom Summoned about the ſame time with the Parliament, by the Two Archbiſhops, at the King's Command, in order to get that Money from the Clergy; for theſe two Aſſemblies ought to be carefully diſtinguiſhed, though they have been jumbled together, and made to be but one and the ſame, by ſome late Writers upon this Subject, who yet confeſs at the ſame time, they were Summoned by two different Writs, directed to the Archbiſhops; That for the *Convocation* being to entreat and command them to cauſe the Biſhops of their reſpective Provinces to appear therein, and alſo to require them to Summon the Abbots, exempt or not exempt, with the Priors, Deans and Archdeacons, and the Proctors of the Inferiour Clergy, to do the like. Nor did theſe Aſſemblies differ only in the manner of their being Summon'd, but alſo in divers other very material Circumſtances, both in reſpect of the Time and Place of their Meeting: For the Parliamentary Convention, being a part of the Parliament, was Summoned to meet at the ſame Time, and at the ſame Place, with it, and was conſequently Diſſolved whenever the Parliament was; whereas by the Writs to the Two Archbiſhops for calling a *Convocation*, the Time and Place of their Meeting was antiently left to their Diſcretions, provided it was done as ſoon as they well could: Nor were they obliged to meet at the ſame time with the Parliament, but either before or after it, as the Archbiſhops thought fit, and as the King's Occaſions for Money requir'd; but as for the *Convocation* for the Province of *Canterbury*, this was by that Archbiſhop moſt commonly cited to meet at St. *Paul*'s Church, as that of *York* was at St. *Peter*'s in that City: So likewiſe as to the Perſons who compos'd theſe two Councils, they differ'd very much; for to *Parliamentary Conventions* only ſuch *Abbots* and *Priors* were Summoned, as were wont to come to Parliament by reaſon of their Tenures; whereas to *Provincial Convocations*, all *Abbots* and *Priors* whatſoever, as well exempt as not exempt, were Summon'd to appear by the Archbiſhop's Mandate; all which plainly ſhews, they were a quite different Council from the *Parliamentary Convention* of the Clergy.

However, if we conſider the Nature of theſe *Provincial Convocations* Summon'd by the Archbiſhop, we ſhall find, That though they conſiſted of Spiritual Men, yet they were not properly Eccleſiaſtical, but Civil Aſſemblies: For when they met by Vertue of the King's Writ, it was not upon any Eccleſiaſtical Buſineſs, but purely to ſupply the King's Occaſions, not only when there was a Parliament Summon'd, but alſo at other Times, as the learned Dr. *Wake*, in his abovemention'd Book, has proved (in my opinion) beyond all Exception, againſt his ingenious Antagoniſt Dr. *A*'s *Rights and Powers of an Engliſh Convocation*. But it muſt be granted, That thô in divers following Reigns, the Two Archbiſhops did oftentimes propoſe to their Suffragan Biſhops and Clergy in Convocation, the Reformation of ſeveral Abuſes and Corruptions in the Church, to ſave themſelves and the Clergy the double Charge and Trouble of appearing in both theſe Aſſemblies; yet this did not at all abridge the Power of the Two Archbiſhops to call ſuch Eccleſiaſtical Synods or Councils whenever they pleas'd, by their ſole Authority, until the 24th of *Henry* the *Eighth*; when the Biſhops and Clergy being aſſembled in Convocation upon the King's Summons, to avoid the *Premunire* that then hung over their Heads, tied themſelves up by a ſolemn Promiſe, *ſub verbo Sacerdotis, That they would not, for the future, put in ure, promulge and execute any new* Canons, &c. *without the King's Licence*; which Promiſe and Submiſſion were alſo confirm'd and enacted by a *Statute made the Year following for that Purpoſe, in which the Words, *attempt, alledge and claim*, are alſo added, *&c.* ſo that ever ſince, the Clergy have been bound, not only from meeting in Convocations without the King's Writ, but alſo *from making or attempting to make or promulge or execute any new Canons, without his Licence for the ſame:* From which time it muſt be acknowledged, That both the Provincial Convocations have been for the moſt part Summoned by Vertue of the King's Writ, and have Met, Sate and been Diſſolved, upon or very near the ſame Time with the Parliament, as it continues to this day.

Cap. 6. 7.

Vid. Dr. Burnet's *Hiſtory of the Reformation, Vol.* 1. *p.*

*25. *Hen.* 8. *cap.* 19.

I ſhall, in the next place, treat of ſome Reformations that have been endeavour'd to be made in the Church during this Period; and in particular, that remarkable one, concerning the abating the Pope's exorbitant Power in the Matter of thoſe *Proviſions* he then uſually exerciſed, by filling up Biſhopricks, and other Eccleſiaſtical Benefices in *England*, of any Value, whenever they became vacant, and oftentimes before. For under this Pretence he took upon him to confer the beſt Spiritual Preferments on his own Creatures, who being for the moſt part either *Frenchmen* or *Italians*, it proved ſo great a Grievance and Burthen to the *Engliſh* Church and Nation, that when the Court of *Rome* refuſed to Reform it, upon divers earneſt Requeſts and Addreſſes from King *Edward* the *Firſt*, the Nobility and Commons of *England* being no longer able to bear with ſo great an Abuſe, they reſolved to Reform it themſelves, by a Law made for that Purpoſe, *viz.* that famous Statute of *Carliſle*, enacted in the 35th Year of that King; who dying not long after, before it could be put in execution, and being ſucceeded by his Son *Edward* the *Second*, a weak Prince, who had conſtant Wars with the *Scots* or Civil Diſſentions at home; and this Abuſe being alſo connived at by the Biſhops, who were afraid of diſpleaſing the Pope; it is no wonder if this excellent Law took little or no Effect, but lay as it were dormant all the Reign of that King, and good part of that of *Edward* the *Third*,

Vid. Stat. 35 *Ed.* 1. *recited in the Stat. of* 27 *Ed.* 3. *cap.* 1.

till the 25th and 27th Years of his Reign; by which time the Pope had ſo encreaſed his former Oppreſſions, in conferring the beſt Biſhopricks in *England* upon Strangers, under the Pretence of theſe his *Proviſions*, that the whole Kingdom was again under a great Diſcontent at that Oppreſſion: Whereupon the Lords and Commons in Parliament humbly Petitioned the King, That they might be no longer continued, but that He would revive and confirm the Statute of *Carliſle*, made by King *Edward* his Grandfather; which was done accordingly. *Rot. Parl.* 27 *Ed.* 3.

But this Act ſome Years after being found inſufficient, (notwithſtanding ſeveral other Statutes to enforce it) was revived by more ſevere *Statutes in the Thirty eighth Year of the ſame King, not only againſt theſe *Proviſions*, but alſo all unneceſſary Appeals to *Rome*, which put a ſtop to this Miſchief for ſome time: But the Pope taking freſh Courage, through the Negligence and Cowardice of the Biſhops, who durſt not openly oppoſe him, (and whom he often bribed and took off, by conferring on them better Biſhopricks) began again in the next Reign to renew his former Oppreſſions. This cauſed ſome other Statutes to be made, in the Second and Third Years of *Richard* the *Second*, to confirm and enforce thoſe of his Grandfather, againſt the Taking or Receiving any Benefice from any Perſon, but only from the King or his Subjects; and particularly forbidding all Aliens from taking or accepting any ſuch Eccleſiaſtical Benefices or Dignities, without the King's Licence: And theſe Statutes were afterwards enforced by another of the Thirteenth of this King, for the free Election of Archbiſhops and Biſhops, *&c.* as alſo by another of the Sixteenth, againſt all Tranſlations, Proceſſes and Sentences of Excommunication, purchaſed from the Court of *Rome*, concerning Things which touch the King, his Crown, Regality and Realm, in all the Matters aforeſaid. I have but barely mentioned theſe Statutes in this place, becauſe the Reader will find, at the end of thoſe Reigns abovementioned, an exact Hiſtory of thoſe Papal *Proviſions*, and of the Laws made againſt them, and the great Conteſt there was in that Age between our Kings and ſeveral Popes about it, who did not look upon themſelves as tied up by any Laws of this Kingdom, from exerciſing that unjuſt and uſurped Power which they claim'd of diſpoſing of all Biſhopricks and Benefices in *England*, according to their abſolute Will and Pleaſure: And indeed this Evil could never be totally eradicated, until King *Henry* the *Eighth*, by an Act of Parliament made for that purpoſe, abſolutely aboliſhed and took away the *Papal* Power in *England*; when almoſt all the Biſhops (though outwardly in the Communion of the Church of *Rome*) concurred with the King, Lords and Commons, in the paſſing of that Statute.

* *Stat. Book, cap.* 1, 2.

I ſhall conclude this *Introduction*, with a ſhort Account of that famous Tribute or Penſion of One thouſand Marks *per Annum*, which was granted by King *John* to the Pope, upon his Legate *Pandolf*'s reſtoring to Him his Crown. This was paid (though with ſome Interruption, and running ſeveral times in Arrear) until the Sixth Year of *Edward* the *Third*; when I find an Original Breve in the *Cottonian* Library, of Pope *John* 22. to the ſaid King, *ſub Annulo Piſcatoris*, (*i. e.* his Seal in Lead, called *Bulla*, from whence thoſe Inſtruments are ſtiled) dated in the Sixth Year of his Reign, containing an Acquittance or Diſcharge of all Arrears due on Account of the ſaid Penſion, in Conſideration of Fifteen hundred Marks then actually paid: But whether it was ever paid any more, or not, I cannot ſay; *Cleopat.* E. 3. f. 14, 15.

ſay; though it ſeems moſt probable that it was not, becauſe not long after, upon that King's claiming the Crown of *France*, and the Pope ſhewing Himſelf averſe to his Title, and very partial to the *French* King's Intereſt, it is very likely that our *Edward*, to be even with Him, ſtopped the Payment of it for divers Years; until at laſt Pope *Urban* V. highly reſenting this Contempt, ſent over his Legates on purpoſe to demand the Payment of it, with the Arrears then due. Whereupon King *Edward* calling a Parliament in the Forty ſecond Year of his Reign, the Eſtates of the Kingdom wrote the Pope that remarkable Letter, which you may find in the enſuing Hiſtory of that King's Reign; in which they declar'd, *That King* John *could not charge his Kingdom with the Payment of any ſuch Tribute, without Conſent of all the Eſtates aſſembled in Parliament.* After which time I do not find it was any more demanded; nor did the Pope think it his Intereſt ſo to do, ſince there being for near Seventy Years together Two Popes at once, the former of them, reſiding at *Rome*, was acknowledged by our Kings, whilſt the other, who had his Seat at *Avignon*, was chiefly own'd and deſended by the King of *France:* So that during this *Schiſme* the Pope at *Rome* durſt not inſiſt upon the former Demands of this Penſion, nor yet compel the King to pay it, leſt He ſhould abſolutely caſt off his Obedience to him, and join with the Antipope of *Avignon*. And after this *Schiſme* was ended, upon the Election of Pope *Martin* V. and the Depoſition or Reſignation of his Competitors, the Demand of this Penſion became ſtale and obſolete; and the Crown of *England* being now become powerful under that Victorious Prince *Henry* V. I do not find any other Popes, after him laſt mentioned, renewed their Claim to it.

lly; though it ſeems moſt probable that it was not [illegible] after, upon that King's claiming the Crown of France, and [illegible] ſhewing Himſelf averſe to his Title, and very partial to the French King's Intereſt: It is very likely that our Edward, to be even with him, ſtopped the Payment of it for divers Years; until at laſt Pope Urban V. [illegible] reſenting this Contempt, ſent over his Legates on purpoſe to demand the Payment of it, with the Arrears then due: Whereupon King Edward calling a Parliament in the forty ſecond Year of his Reign, the States of the Kingdom wrote the Pope that remarkable Letter, which you may ſee in the antient Hiſtory of this King's Reign, in which they declare, That King John had no Power to charge his Kingdom with the Payment of any ſuch Tribute without the Conſent of the States aſſembled in Parliament. After which I do not find it was any more demanded; nor did the Pope think it convenient to do ſo, ſince there being for near Seventy Years together two Popes at once; the former of them, reſiding at Rome, was acknowledged by our Kings; whilſt the other, who had his Seat at Avignon, was chiefly owned and defended by the King of France. So that during this Schiſm the Pope at Rome durſt not inſiſt upon the former Demands of this Penſion, nor yet compel the King to pay it, leſt He ſhould [illegible] caſt off his Obedience to him, and join with the Antipope of Avignon. And after this Schiſm was ended, upon the Election of Pope Martin V. and the Depoſition or Reſignation of his Competitors, the Demand of this Penſion became ſlackened of courſe; and the Crown of England being now become powerful under that Victorious Prince Henry V. I do not find any [illegible] ſo much as mentioned, or ſtated their Claim to it.

THE General Hiſtory OF ENGLAND, BOTH Eccleſiaſtical and Civil.

VOL. III. BOOK IX.

King Edward *the Firſt.*

SO ſoon as the Obſequies of the late King *Henry* were perform'd, on the 20th Day of *November*, in the Abby Church of *Weſtminſter*, [1] *John* Earl of *Warren* and *Surrey*, and *Gilbert* Earl of *Gloceſter*, with all the Clergy and Laity there preſent, went to the High Altar, and ſwore Fealty to his Eldeſt Son *Edward*, ſuppoſed at that time to be in the *Holy Land*, [2] though they were uncertain whether He was alive or no. But yet this was not thought ſufficient: Wherefore the Day after, *Robert Kilwardy*, Archbiſhop Elect of *Canterbury*, and the Earl of *Gloceſter*, with other Prelates and Noblemen of the Kingdom, met at the *New-Temple*, and there **Recognized* the ſame Prince for their Liege Lord, and * declar'd him Succeſſor of his Father's † Dignity; and then, with the Aſſent of the Queen Mother, (having made a new Great Seal) they appointed Select Miniſters and Guardians to keep the King's Treaſure, and the Kingdom, till his Return.

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[1] *M. W.* King *Henry* being interred, all the Clergy and Nobility take an Oath of Fealty to King *Edward*.

[2] *T. Wi.* * He is again recognized at the *New Temple*, and a new Great Seal appointed, with Guardians of the Kingdom.

* *Ordinaverunt.*

† *Honori.*

These [3] Guardians were *Walter Giffard*, Archbiſhop of *York*; *Edmund Plantagenet*, Son to the late deceaſed *Richard* Earl of *Cornwall*, Brother to King *Henry* the *Third*; and *Gilbert de Clare*, Earl of *Gloceſter*; who took upon them the Exerciſe of the Government, by the ſole Advice and Appointment of the Nobility: However all Writs, Proclamations and Publick Inſtruments were iſſued forth in the King's Name, as appears by a * Writ on the Rolls of the *Tower*, directed to all the Sheriffs in *England*, to proclaim the King's Peace to be kept throughout their whole Counties, in all Cities, Burghs, Fairs, Markets and other Places. It begins thus: Edward *by the Grace of God King of* England, *Lord of* Ireland, *and*

[3] *M. W.* The Names of the Guardians and what they did.

* *Clauſ.* 1 *Ed.* 1. *M.* 11. *de Pace Reg. Edwardi proclamanda.*

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Vid. D^r. *Brady's App. ad Vol.* 2. *n.* 1.

[4] *Annal. de Lon*

* *Bundela Brevium hujus Regis in turre. Vid. Ibid. N.* 2.

Another Writ to receive the Oath of Fealty from the Pr. of *Wales*.

Duke of Aquitain, *&c. Whereas by the late Deceaſe of Our Father King* Henry *of Famous Memory, the Government of the Kingdom is come to Us by* Hereditary Succeſſion, *&c. We command*, &c. *Witneſs* W. *Archbiſhop of* York, Edmund *Earl of* Cornwall, *and* G. *Earl of* Gloceſter, *at* Weſtminſter, *the* 23*d of* November, *in the Firſt Year of Our Reign*. This was within three Days after the Interment of his Father. [4] He was proclaimed firſt in *London*, and then in all the other Cities of *England*. Immediately after this, the ſaid Guardians iſſued forth another * Writ in the King's Name, dated the 29th of the ſame Month at the *New-Temple, London*, by the Hands of *Walter de Merton*, then Chancellor, directed to the Abbots of *Dore* and *Hagenham*, appointing them to receive the Oath of Fidelity from *Llewellyn*, Son of *Griffyn* Prince of *Wales*: But it is evident, by the Return of this Writ (which is annexed to it) from thoſe Abbots, as alſo from the Conſtable of *Montgomery* Caſtle, That the ſaid Prince neither appeared at the Time and Place appointed, nor ſent them any Meſſage by way of Excuſe for his Abſence; ſo much did he then ſtand upon his Terms. But he was ſufficiently humbled for this, as well as for his other Rebellious Actions, not long after the King's Return into *England*: But from theſe Records it appears, That King *Edward* was the Firſt, who, wholly claiming by Hereditary Succeſſion and the Will and Appointment of the Great Men of the Kingdom, was ſtiled King of *England* in any Publick Inſtruments, before his Coronation.

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[5] * *Annal. de Waverly. Annal Wigorn. Ang. Sacra*, Vol. 3.

An Aſſembly of Eſtates ſummoned to meet at *Weſtminſter*; and of whom it conſiſted.

The Oath of Allegiance taken again to him by all the Members of it.

* *Terræ Princip l.*.

* *I. e.* There ſhould be no Juſtices Itinerant.

Not [5] long after *Chriſtmas* the ſaid Guardians Summoned all the Eſtates of the Kingdom to meet in a Parliament, (as they call it) at *Weſtminſter*, upon the Feaſt of St. *Hilary*; which are thus recited and diſtinguiſhed by our * Authors, *viz.* The Archbiſhops, Biſhops, Earls, Barons, Abbots and Priors, as alſo Four Knights for each County, and Four Citizens for each City; who being there aſſembled, did all, in the preſence of the Lords *William* Archbiſhop of *York*, *Robert de Mortimer* and *R. Burnel*, Clerks, take an Oath to the Lord *Edward*, as * King of this *Land*, as alſo firmly and truly to keep the Peace of the Kingdom; and there *Walter de Merton* was again appointed, or rather confirmed Chancellor, and was ordered to reſide at *Weſtminſter* till the King's Return: It was there likewiſe farther provided, That till that time there ſhould be no other * Juſtices, but only ſuch as ſate on either Bench. Not long after, *viz.* on the 10th of *December*, Earl *Edmnnd*, the King's Brother, returned from his Voyage to the *Holy Land*.

[1] *T. W.*

[2] *Id. Ib. M. W.*

He leaves *Sicily*, and is kindly received by the Pope.

But we muſt now look back, and ſee what is become of our Prince *Edward* ſince his Departure from *Paleſtine* the laſt *Autumn*; [1] who being ſafely arrived in *Sicily*, was joyfully received by *Charles* King of that Iſland: And there Prince *Edward* firſt heard the News, both of the Death of his Eldeſt Son *John*, and of the King his Father; the latter of whom He much more lamented than the former; inſomuch that when King *Charles* began to comfort Him for that Loſs, He made this pious Return, *That He had much greater Reaſon to be grieved for the One than the Other, ſince He could have more Sons, but not another Father.* [2] Then the King of *Sicily* having taken his Leave of his Royal Gueſt, ordered his Son *Charles* to wait upon him to the utmoſt Limits of his Kingdom; and the King coming into Pope *Gregory*'s Territories, was by him moſt kindly received at *Viterbo*, having been his old Acquaintance, as well as fellow Pilgrim in the *Holy Land*. Here the King complained to the Pope, of the late Murther of his Couſin *Henry*, Son to *Richard* late King of the *Romans*, which was committed

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committed in the Church of *Viterbo*, by *Guido de Montfort*, (as hath been already related) with the Aſſiſtance of Count *Aldebrandino*, Sirnamed the *Red*, his Father-in-Law: Whereupon the Pope having declared the ſaid *Guido* guilty of Murther, ſolemnly *excommunicated* him and all his Abettors, until ſuch time as they ſubmitted themſelves, and made Satisfaction to the Church.

Who Excommunicates the Murtherers of *Henry*, Son to the King of the *Romans*.

This Affair being diſpatched, the King paſſed through *Italy* over the *Alpes* in his way to *France*; and [3] being arrived on the Borders of that Kingdom, the Count *de Chalons* in *Burgundy* envying his Glory ſent him an Invitation, or rather a Challenge to come to the City of *Chalons*, and there to Tourney with him and his Knights, whom he ſhould bring thither: Hereupon the King, though he might very well have refuſed the offer, becauſe he was upon his Journey homeward, yet did not think it for his Honour to deny this Invitation, and therefore cauſed it to be every where Proclaimed, That he, with the Strangers that waited on him, would maintain a Tourneament againſt all Comers; upon which a great many both Horſe and Foot flocked thither in joint Confederacy, to ſpoil the *Engliſh* of their Horſes and Arms: King *Edward* alſo ſent into *England* for ſome of his Noblemen to come over to his Aſſiſtance, and there went to him divers Earls and Barons; ſo that at the time prefixed for this Combat, the King carried thither with him about a thouſand Knights or Horſemen beſides Foot; but thoſe of the contrary Party had as many more, where inſtead of a *Tourneament* it became a ſort of a *Petty War*; for both Parties meeting without the City of *Chalons*, the Count's Gentlemen firſt began the Combat, and were as valiantly reſiſted by the *Engliſh*, inſomuch that many of the former were killed, and the reſt driven back to the Gates of the City, or elſe into the adjoining River, where they were drowned.

[3] *T. Wi. Chron. Wal. Heminford L.* 3. *Cap.* 36.

Prince *Edward* is challenged by the Count of *Chalons* to a *Tournament*.

[4] In the mean time the Count *de Chalons* in Perſon, with Fifty ſelect Knights, engaged with the King and thoſe of his Party, and fought Him a long time hand to hand; but finding he could do no good with his Sword he cloſed in with him, and throwing his Arm about his Neck, thought to have pulled Him from off his Horſe, but the King clapping Spurs to his ſides, and he thereupon ſpringing forward, pulled the Count (ſtill hanging about his Neck) from his Saddle, and not being able to hold out long in that poſture, he fell to the Ground with ſuch a force, that his Breath was almoſt beat out of his Body. Then King *Edward* alighting, ran to pull off his Helmet to give him Air; which when He had done, and ſtill perceiving the great Malice of the Count's Party, who inſtead of a Tourneament now made War in earneſt, He preſently ordered his Men not to ſpare any of them, but to pay them in their own coin; ſo the Foot being now returned from the Chace had time to fall upon the Enemies Horſe, which not being drawn up in any cloſe Order, they either ran them into the Bellies, or cut their Girts, ſo that their Riders were thrown to the Ground: Notwithſtanding this, the Count being again mounted by his Men would not give over, but fell upon King *Edward* afreſh, and continued the Diſpute with him, till at laſt, after he and his Party were well beaten, he was forced to ſurrender himſelf a Priſoner, at the King's Command, to an ordinary Knight; and though many of them ran away, yet more than thoſe fell dead upon the Spot.

[4] *Id. ib.*

The Count *de Chalons* encounters King *Edward* in Perſon.

And is taken Priſoner and his Party routed.

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[5] C. H. *ib.* And what enſued thereupon.

The *Engliſh* having thus obtained the Victory, returned with Triumph into the City; and thinking they might there quietly take up their Quarters, they were killed by the Citizens as they paſſed along the Streets: But ſo ſoon as the King heard of it, He ſent preſently for the Magiſtrates, commanding them to puniſh and reſtrain the Townſmen, or elſe He would ſet Fire to their City, and burn it down to the Ground; whereupon they immediately placed Guards in moſt of the Avenues, and ſo the King and his Men remained quiet and ſafe; but in this diſpute there was ſo much Blood ſhed, that inſtead of the Tourneament it was ever after called the little Battel of *Chalons*.

[1] *M W. T. W.* King *Edward* is kindly received at *Paris*, and does Homage to King *Philip* for his Territories in *France*.

What farther happened between this ſtout Earl and the King, we do not find; [1] only that the latter leaving that City went forward to *Paris*, and was there about the middle of *July* kindly received by King *Philip* his Coſin German; (for their Mothers were Siſters) and after the Prince had for ſome time been nobly entertained there, He demanded of that King thoſe Territories which belonged to Him by *Hereditary Right*; to which the King of *France* replied, That He was ready to ſatisfie Him according to Reaſon; whereupon our *Edward* did King *Philip* Homage in this form of Words, *My Lord the King, I do You Homage for all the Lands I ought to hold of You*; by which Words ſome underſtood as if He had thereby meant *Normandy*, and thoſe other Countries formerly ſubject to the King of *England*, which the *French* King ſtill retain'd.

The King by his Writ Orders all *Flemmings* in *England* to depart.

[2] *An. de Lond.*

The King having been highly provoked at the Hoſtilities committed by the *Flemmings* on the Merchants of *England*, about the begining of *September*, gave Orders for iſſuing out a Writ or Letter directed to the Mayor, Sheriffs and Commonalty of *London*, which was read in their *Guild-Hall* not long after, wherein, reciting the many Injuries done by the Counteſs of *Flanders* to his Subjects in thoſe Parts, Commands them to make Proclamation, That no *Flemming* ſhould enter or ſtay in *London* on pain of Forfeiture of his Goods, notwithſtanding any Grant made by the King his Father, or any of his Predeceſſors to the contrary; yet gives ſuch *Flemmings* licenſe to receive their Merchandize and other Effects already due from *Chriſtmas* laſt paſt, and then to depart the Realm, and not to Return on pain of Forfeiture as aforeſaid. * From whence you may obſerve the King's Clemency to theſe *Flemmings*, That notwithſtanding the late Hoſtilities committed by them, yet He gave them leave to remove all their Effects before their Departure. But this Quarrel did not continue long as you will find under the next Year.

* *Dat per Walt. de Merton Can. Lond. 8 die Sept. A. R. Primo.*

[4] *Id. ib.* *Robert Kilwarby* made Archbiſhop of *Canterbury*.

[3] As for Eccleſiaſtical Affairs; about the ſame time Frier *Robert Kilwarby* having been made Arch-Biſhop of *Canterbury* by the Pope (as was mention'd in the end of the laſt King's Reign) now returned into *England*, and was conſecrated in his own Cathedral ſomewhat before our *Lady-day*, many of the Biſhops of his own Province being preſent.

[5] *id. ib.* *Communitatis* The King's Letters to the City of *London* read publickly; with an Account of his Injunctions to them.

[4] And about our *Lady-day*, the King's Letters to the Mayor, Sheriffs and *Commonalty* of *London*, were read in *Guid-hall*, being to this Effect; they firſt give the City an Account of the King, 'That He 'was at the time of the Writing thoſe Letters at *Caples*, or *Capua*, in *Terra* '*de Lavoro*, with his Kinſman the King of *Sicily*, and was as well as He 'could be, conſidering his Sorrow for the Loſs of the King his Father; and 'that ſince He deſired all Men ſhould enjoy Peace and Tranquility during 'his Abſence, He therefore Commands them by their Love and Fidelity

'to Himſelf, That they ſhould take care to preſerve the Peace till his Return, which (he ſays) He will haſten with all the ſpeed He can, and hopes that He may have Reaſon to thank them; then concludes, That ſince He had no Seal of the Kingdom with Him, therefore He had incloſed theſe preſents with the Seal of the King of *Sicily*. *Teſte me ipſo apud Caples* 19 *die Jan. A. R. primo.*

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King *Edward* having thus ſettled his Affairs at *Paris*, [5] took his Leave of King *Philip*, and went into his own Territories in *Gaſcoigné*, where He received the Services and Homage of all his Subjects, reducing thoſe to his Obedience that ſtood out; the Chief of whom (as the [1] *French* as well as our own Hiſtorians inform us) was *Gaſton de Moncaae*, Lord of *Bearn*, who refuſing to do his Homage to King *Edward*, He beſieged him in his Caſtle, and ſeized upon his Perſon, and kept him in Priſon for ſome time, till at laſt making his Eſcape he complained of this ſevere Uſage to King *Philip* of *France*, as Sovereign Lord both of *Edward* and himſelf: Whereupon *Philip* ſummoning an Aſſembly of his Eſtates, upon a full and ſolemn Hearing of the Cauſe before them, they at laſt pronounced Sentence on the behalf of King *Edward*; and *Gaſton de Bearn* was adjudged to hold that Country of Him, and to do Him Homage for it. And we farther find in our [2] Hiſtorians, That the Year following he came into *England* by the King of *France*'s Order, and preſented himſelf before King *Edward*, being then at *Oxford*, with a Rope about his Neck, and was kept for ſome time a Priſoner here; but being at laſt pardoned, and having made his Peace with the King, he remained ever after faithful to Him.

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[5] *M. W.*

The K. leaves *Paris*, and goes into his own Dominions, and there beſieges the Lord of *Bearn*, and puts him in Priſon for his Diſobedience.

[1] *Vid. Mezeray Fr. Hiſt.* under this year.

Having eſcaped, he flies to the K. of *Fr.* to make his Complaint, where he receives no Redreſs.

[2] *M. W. T. W.*

To intermix ſomewhat of Eccleſiaſtical Affairs: [3] The General Council of *Lions* being now aſſembled, King *Edward* went thither, to make a Viſit to the Pope and Cardinals, where the Ambaſſadors from *England* met Him, and deſired Him to return home, to reform his deſolate Kingdom.

[3] *Chron de Lancoſt. in Bib. Cot.*

But during this Prince's preparing for his Journey, it is fit we return into *England*, and ſee what hath happened there all this while, as well in Civil as Eccleſiaſtical Affairs; which I have put here together, though ſomewhat out of their due place, becauſe I would not interrupt the Relation of this King's great Actions before his Return into *England*; where little happened conſiderable: Only we find by the *Tower Records*, a *Writ to have iſſued forth in the King's Name, directed to *Richard de Clifford*, his Eſcheator on this ſide *Trent*, to aſſeſs a Talliage upon the City of *Briſtol*, either ſeparately or by Poll, or elſe in Common, according as it had been uſually practiſed in other Talliages. This Writ bears date the 27th of *January*, by the hands of *Walter de Merton*, then Chancellor; But though the Record mentions only *Briſtol* to have been thus Talliated, yet it is highly probable, That the ſame Tax was raiſed in like manner upon all Cities and Trading Towns throughout *England*: Yet that this Talliage was not impoſed upon them by reaſon of any *Tenure in Capite*, but only becauſe of the King's granting them the Privilege of a Free Trade, I have ſufficiently proved in my *Introduction*.

* *Rot. Par.* 1. E. 1. M. 18. *de Tallagio concedend. Vid. Dr.* B's *App. n.* 3.

A Writ from the K. to aſſeſs a Talliage on the Cities and Towns that held of him.

In Summer following we find another * Writ to have been directed to the Sheriff of *Surrey* and *Suſſex*, commanding him, upon a Complaint of divers Robberies and other Miſchiefs committed in that County, to uſe greater Diligence in keeping the Peace, and to do his utmoſt Endeavour to apprehend thoſe Malefactors, and to cauſe all Bayliffs to do the like.

* *Rot. Pat.* 1. E. 1. M. 16. *de Conſ. Pac Ang.*

Another Writ to the Sheriffs commanding them to keep the Peace.

This

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This Writ likewiſe bears Date at *Weſtminſter* the Sixth of *June*, in the Firſt Year of this King's Reign.

* *Bundela Brevium in Turre n.* 11.
The King's Letter of Thanks to the Chancellor.

And I ſuppoſe it was for the Chancellor's diligence in repreſſing theſe Enormities, as well as other matters, that we find upon Record a * Letter of thanks to him from the King, wherein He farther requires him to proceed as he had begun, and to do Juſtice without any Reſpect of Perſons and to puniſh with Rigor thoſe whom Gentleneſs could not reſtrain from doing Injuries. This bears date at *Milan* upon the River *Sline*, on the Ninth of *Auguſt*.

* N. 3, 4, 5.

But though we are beholding to Dr. *Brady*, for Printing theſe three laſt Records in his * *Appendix*, yet I muſt here obſerve, he hath not thought fit to take any notice of them in the body of his Hiſtory, ſo that they are of no uſe to Common *Engliſh* Readers; and therefore I have thought fit to inſert the ſubſtance of them in their proper Places.

[4] *M. W.*
The Pope ſent a Legate into *England*, ordering the Clergy to pay their Tenths to the King.

As for Eccleſiaſtical Affairs, nothing happened conſiderable, only [4] that the Pope ſent the laſt year a certain *Gaſcogne* Clerk, called *Reymond*, into *England*, with Power to compell all Spiritual Perſons to pay the Tenths of their Eſtates, as well Eccleſiaſtical, as Temporal to the King and his Brother Earl *Edmund* for their late Expences in the Holy Land; which though it was to have been rais'd in two years time, was now paid all in this, to the great Burthen of the Inferior Clergy; yet of this Money the Legate retain'd a great part for the Pope's uſe.

[5] *Annal. de London.*
The King makes an Agreement with the Counteſs of *Flanders*.
The King Lands in *England*, and is joyfully received.
[1] *M. W.*
He is Crown'd at *Weſtminſter*.
[2] *Id. T. W.*

[5] King *Edward* being now arrived at *Boloigne*, in order to his Return into *England*, treated and made a final Agreement with the Counteſs of *Flanders*, concerning all Injuries and Hoſtilities done by her Subjects to thoſe of *England*, as alſo for the Money which the Queen his Mother had borrowed of her. Then the King having ſettled his Affairs beyond Sea, took Shipping at *Boloigne*, [1] and Landed in *England* on the Five and twentieth of *July*: At his Landing *Gilbert* Earl of *Gloceſter*, and *John* Earl of *Warren*, received Him more magnificently then any other Noblemen; for the former Conducted him to his Caſtle of *Tonebridge* in *Kent*, and the latter to that of *Riegate* in *Surry*; at both which Places they treated Him for ſome days with great Satisfaction; but being arrived at *London*, [2] He was on the Nineteenth of *Auguſt*, together with his Queen *Eleanor*, Crowned at *Weſtminſter* by *Robert Kilwarby*, Archbiſhop of *Canterbury*; *Alexander* King of *Scots*, and *John* Duke of *Bretagne* his Brother in Law, being preſent, together with a great many of the Prelates, Earls, Barons, and other Noblemen. I need ſay no more of this Coronation, all things being then perform'd according to the uſual Forms.

[3] *Id. ib.*
The King of *Scots* does his Homage to the King.
* *Rot. Par.* 2. *Ed* I. *M.* 6.

Nothing elſe happened worth noting, but that the day after the Coronation [3] the King of *Scots* did his Homage to King *Edward*, but whether for *Scotland*, or elſe for the Earldom of *Huntington*, and other Lands held of the Crown, our Authors do not mention. When the Solemnity was over, the King paſſed the reſt of this Summer in Settling his Affairs, and reforming ſuch Abuſes as had crept in during his Father's remiſs and unequal Government: And that He might have a better Inſight into the Rights and Revenues of the Crown, and concerning the Incrochments, that had been made upon them, it appears upon * Record, that toward the middle of *October*, He iſſued out Writs of Enquiry, by the Oaths of Twelve Legal Men, directed to two Commiſſioners in every County, 'to enquire what were the Royalties, Liberties and Prerogatives of his Crown; as alſo who were his Tenants *in Capite* or by Military Service; and how many, and what Fees they held of Him; alſo concerning his Tenants in Antient *Demeſne*, how they had behaved themſelves, and in what Condition their Farms were; and farther to enquire concerning Sheriffs, Coroners, Eſcheators, Bayliffs and their Clerks, whether they had extorted Money by reaſon of their Office, had wronged any Man, or received Bribes, or had been Remiſs in their Places, *&c.* The whole Enquiry containing Four and thirty Articles, being now Obſolete, need not be further mention'd.

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He iſſued out Writs of Enquiry into Royalties and Liberties of the Crown.

As for Eccleſiaſtical Affairs: (4) This Year was held the General Council of *Lyons*, under Pope *Gregory* the *Tenth*, to which *Palæologus* the Greek Emperor, and the Patriarchs of *Jeruſalem* and *Conſtantinople*, came in Perſon; and there was then a Temporary Reconciliation patched up between the *Roman* and *Greek* Churches, but it did not continue long.

[4] *Ciacon. de vitis Pontif. p.* 740.

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[5] The King having this Year kept his *Chriſtmas* at *Woodſtock*, not long after Prorogu'd the Parliament (which He at firſt intended to have held Fifteen days after *Candlemas*) till the morrow after the cloſe of *Eaſter* next enſuing, as appears by a * Writ, the Copy of which is extant in the † Regiſter of the Biſhop of *Worceſter*. When this Parliament was aſſembled at *Weſtminſter* according to the Prorogation, the King there made divers excellent Laws, both for the Eaſe and Benefit of Church and State; the Title or Preface to which being very Remarkable, I ſhall here ſet down at large from the * *French* Original: *Theſe are the Acts, or Eſtabliſhments of King* Edward, *Son to King* Henry, *made at* Weſtminſter *at his firſt General Parliament after his Coronation, on the* Monday *after* Eaſter, *in the* † *Third Year of his Reign, by his Council, and by the Aſſent of the Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons and all the Commonaltie of the Realm thither Summoned; becauſe our Sovereign Lord the King had great Zeal and Deſire to Redreſs the State of the Realm, in ſuch things as required Amendment, for the Common Profit of Holy Church and the Realm, and becauſe the State of the Realm and Holy Church had been evilly kept, and the Prelates and* * Religious *of the Land grieved many ways, and the People otherwiſe intreated than they ought to be, the Peace leſs kept, and the Laws leſs obſerved, and Offenders leſs puniſhed then they ought to be, by reaſon whereof the People of the Land leſs feared to offend; the King hath ordained and Eſtabliſhed theſe Acts underwritten, which He judges to be neceſſary and profitable for the whole Realm.*

[5] *Annal. de Waverly ad hunc An. Annal. Wig ad eundem.*

† *Regiſtr. Gifford, f.* 48.

A Parliament meets at *Weſtminſter.*

* *Vid. Totel's* Collection of old Statutes, the Titles to the Laws there made.

† Note Dr. *Brady*, in the laſt Volume of his Hiſtory, places this Parliament under *A.D.* 1376. being therein miſled by *Mat. Weſtminſter* and *Thom. Walſingham.*

* *I. e.* the *Monaſticks.*

As for this Body of Laws, which are commonly called the Statutes of *Weſtminſter* the *Firſt*, and contain in the whole Fifty one Chapters, I ſhall ſay no more of them here, becauſe I ſhall give the Reader an Abſtract of thoſe and all other Statutes of this King at the end of his Reign. I find no more concerning this Parliament, [1] but that divers of the King's Tenants being troubled by Writs of *Quo Warranto*, now ſurrendred their Fees to the King, who compounded with ſome of them, and gave them leave to hold their Eſtates for Term of Life.

The Statute of *Weſtminſter* the firſt enacted, with other things then done.

[1] *An. Wav. ib.*

Nothing happened remarkable this Summer, nor the Summer following, only that in the begining of *September* there happened ſo great an Earthquake at and about the Cities of *London*, *Canterbury*, *Worceſter* and all

[2] *Chron. Thom. Wikes & M W. ad hunc An.*

A great Earthquake in *England.*

all the Weſtern Sea Coaſts, that divers Houſes and Churches were overthrown by it; which being very rare in *England*, I thought fit to take notice of.

[3] *Id. ib. Annal. Wigor.* Another Parl. held at the ſame place. *Annal. Wigorn.*

[3] Fifteen days after *Michaelmas* the King held another Parliament at *Weſtminſter*; wherein He required a *Fifteenth*, both of the Clergy and Laity, towards the Charges He had been at in his Wars in the *Holy Land*: This was granted by the latter; but the former, lying already under a great Burthen of a *Tenth*, impoſed upon them by the Pope for Six Years for the like purpoſe, excuſed themſelves; yet the Biſhops promiſed, That they would do their Endeavour that the Clergy of their reſpective Dioceſes ſhould grant ſomewhat more, by way of Benevolence, at their next Meeting, ſome time after *Eaſter*.

[4] *An. Wav. ib.* The *Jews* prohibited from putting out their Money to Uſury.

In [4] this Parliament alſo the *Jews* were prohibited, by a Statute not now extant, from putting out their Money to Uſury, and that they ſhould live by their Labour and Merchandize; and were alſo enjoyned to wear certain Badges on their upper Garments, of a Span long, whereby they might be known. Theſe Statutes, though mention'd by our Hiſtorians, are not extant upon the Rolls; and had they been duly obſerved, would have made the *Jews* quit the Kingdom, without any Law to be made on purpoſe for it.

[5] *M. W. T. W. Ad An.* 1375. *Llewellyn* Pr. of *Wales* ſummon'd to the Coronation, and to Parl. but refus'd to appear, and on what Pretence

We ſhall now ſay ſomewhat of the Affairs *Welſh* [5] *Llewellyn* then Prince thereof, having been invited to the King's Coronation to do his Homage, and alſo Summon'd to his Firſt Parliament at *Weſtminſter*, refuſed to appear; becauſe (as he pretended) ſome of the Great Men laid wait for his Life: And being again called upon by the King to do his Homage, he ſtill made the ſame Excuſe, and demanded no leſs than the King's Son, with *Robert* Earl of *Gloceſter* and *Robert Burnell* (then Chancellor) as Pledges for his ſafe Coming and Return. Which Affront the King ſilently paſſed by, till the firſt Parliament at *Weſtminſter* was over; not long after which, [1] He went on Progreſs as far as *Cheſter*, and from thence ſent again to the *Welſh* Prince, to ſummon him to appear at the next Parliament that ſhould be held at *London* preſently after *Michaelmas*; but he refuſed to come thither, ſaying, *He too well remembred the Fate of* Llewellyn *his Father, who endeavouring to eſcape out of the* Tower, *fell down from thence, and broke his Neck* (as has been already related.) Upon which Anſwer the King finding there was no hopes of prevailing with him by fair means, reſolved to raiſe an Army to force him to comply with what was looked upon as his Duty to perform. But I do not find He proceeded any farther againſt him this Year; which ſo encouraged the *Welſh* Prince, That he took Arms, and ſeized upon and demoliſhed *Rothland*, and ſeveral other ſtrong Caſtles in the Borders of his Country.

[1] *M. W. ib.* The K. goes to *Cheſter*, and there again ſummons Pr. *Llewellyn*, with his Anſwer.

* See the laſt Vol. p.

King *Edward* being now returned to *London*, it appears by a *Record in the *Tower*, That about the end of *October* the King of *France* ſent to him to come over to his Parliament that was to be held at *Paris* on the morrow of the Quindene of the Feaſt of St. *Martin*, (being the 26th of *November*) then to appear with the reſt of the Peers of *France*, who were to be Judges in a great Cauſe depending between *Robert* Duke of *Burgundy* on the one Part, and *Robert* Earl of *Nevers* and *Jobende* his Wife on the other, concerning the Dutchy of *Burgundy*. But the King being taken up with the weighty Affairs of his own Kingdom, ſent *Maurice de Credome*, *Otto de Grandiſon*, and *Roger de Clifford*, his Envoys, to make his Excuſe. Their Commiſſion bears Date at *Weſtminſter* the Second of

* *Rot. Parl.* 3. *Ed.* 1. *M.* 2. *vid. Dr. B's* App. n. 6. The King is ſummon'd to the Parl. of *France*, but not being able to go thither, makes his Excuſe.

November this Year, and deſerves our Notice, ſince it ſhews us, That the King of *England* then thought it no Leſſening of His Royal Dignity, to be ſummoned as Duke of *Aquitain* to appear at a Parliament in *France.*

Anno Dom. MCCLXXV.

[1] This Year the King kept his *Chriſtmas* at the Caſtle of *Wincheſter*, and after the Holidays held a Parliament there for divers Weeks, thô what was done in it does not now appear, more than what is mentioned by this Author, That about *Candlemas*, whilſt it ſtill continued ſitting, *Gaſton* Lord of *Berne* came over into *England*, and preſented himſelf to the King's Mercy for his late Rebellion, according to the Order of the King of *France:* This Nobleman being courteouſly received, was kept in free Cuſtody in the ſaid Caſtle for ſome days, and then ſet free in full Parliament, on Condition, That he ſhould attend the * *Court* of the King of *France*, there to receive what He ſhould ordain concerning him. But *Walſingham* relates, That King *Edward* now pardoned him, and being received into his Favour, he continued faithful to his Intereſt as long as he lived.

Anno Dom. MCCLXXVI.

[1] *Annal. Wigorn. ad hunc An.*

A Parliament at *Wincheſter.*

Gaſton de Berne comes over, and ſubmits himſelf to K. *Edward.*

* *Curia*; the Parliament of *Paris*, as I ſuppoſe.

In [2] this Parliament likewiſe at *Wincheſter*, the King confirmed the Charters of Liberties and Foreſts, and ordered it ſhould be proclaimed all over *England*, That they ſhould be ſtrictly obſerved.

[2] *Id. ib.*

About this time there happen'd an Accident, that for the preſent took off all hopes of any Accommodation between the King and the Prince of *Wales:* For the latter, to ſtrengthen his Intereſt againſt King *Edward*, [3] had entred into a private League with the King of *France*, and as an Earneſt of it, deſired that *Eleanor*, Daughter to *Simon Montfort*, late Earl of *Leiceſter*, a young Lady of great Beauty, might be ſent over to him into *Wales*, to be married. [4] King *Philip* complying with his Requeſt, did, by the Conſent of her Mother, then a Nun at *Montargis*, ſend her accordingly, accompanied by her Brother *Amey* a Clergy Man: But the Ship in which they were, being ſet upon by Four *Briſtol* Veſſels, was eaſily taken near the Iſles of *Scilly*, and the young Lady, with her Brother and all the reſt of their Company, were carried away Priſoners to King *Edward*, who not thinking it convenient that the *Welſh* Prince, being now entred into a State of War againſt him, ſhould match into the Family of his greateſt Enemy, though he received the Lady (as being his near Relation) with all Kindneſs and Civility, and committed her to the Care of his Queen; yet as for her Brother, the King ordered him to be kept for a long time Priſoner, firſt in *Corfe*, and then in *Sherborn* Caſtle.

[3] *Pol. Vergil, Lib.* 17.

Pr. *Llewellyn* deſires to marry the Daughter of *Simon de Montfort*, who is ſent over to him out of *France*, and taken at Sea.

[4] *T. W. ad An.* 1277.

She is preſented to the K. and kindly uſed, but her Brother kept Priſoner.

[5] Then preſently after *Eaſter*, the King held another Parliament at *Weſtminſter*, where He pardoned ſeveral who had been diſinherited for their Rebellion with *Montfort:* And He had now granted Him a Fifteenth from the Laity; but ſince I do not find how much was given by the Clergy, I ſhall only tell you what is upon * Record concerning it. Firſt, there is the King's Letter or Declaration, which is to this effect; *The King to all Perſons ſends greeting: Whereas the Earls, Barons, with other great Men, and the* Communalty *of Our Kingdom, have granted Us a* Fifteenth *of all their Goods; and the Venerable Father the Archbiſhop of* Canterbury *and his Suffragan Biſhops, for Our urgent Occaſions, have alſo granted Us an Aid of their Goods: We by theſe Letters do declare and proteſt, That this Gift proceeded purely from free* Goodwill, *and not in the Name of a* Fifteenth; *and that it ſhall not be urged as an Example, or as a Due be drawn into a Cuſtom by Us or Our*

[5] *An. Wav. M. W.*

Another Parl. where the K. receives a Fifteenth from the Laity, and a voluntary Gift from the Biſhops.

* *Rot. Pat.* 4 *Ed.* I. *M* 6.

The King's Declaration concerning it.

Anno Dom. MCCLXXVI.

Nothing now given by the infer. Clergy.

Heirs. Witneſs the King at Weſtminſter, *the Firſt of* November. But tho the Biſhops now gave the King this voluntary Aid, yet I do not find that the Inferior Clergy granted Him any thing, for that it is mention'd in this Declaration to be only the Act of the Biſhops.

[1] *M. W. ib.*

Pr. *Llewellyn* is again ſummon'd, but refuſes to come, and again invades the *Eng.* Territories.

[2] *Pol. Vergil, ib.*

[3] *T. W. ib.*

[4] *M. W. ib.*

The King marches to the Borders of *Wales*, and takes *Rothland* Caſtle.

All that I can find done farther during this Parliament, was, [1] that Prince *Llewellyn* was again ſummoned to it, but refuſed to appear; only ſent to the King, offering him a great Sum of Money for the Ranſom of his Miſtris, then under His Cuſtody: But this the King denied him, unleſs he would firſt build and reſtore the Caſtles he had taken; which ſo incenſed him, [2] that in the Spring he again invaded the *Engliſh* Territories, and took ſome other ſtrong Places. Upon which the King was ſo enraged, that He [3] marched immediately with ſome Forces to the Borders near *Cheſter*, and beſieged and retook the Caſtle of *Rothland*; and at the ſame time ſent *Payne de Canurſis*, a Commander of Note, into *Weſt-Wales*, where with Fire and Sword he laid waſt all that Country, [4] The King alſo, much about the ſame time, ſent Three hundred Men at Arms into the *South-Marches*, next to *Briſtol* and *Montgomery*, to reſtrain the Incurſions of the *Welſh* Men. But not having an Army ſtrong enough to make an entire Conqueſt of that Country, He did nothing more this Year againſt them; being taken up otherwiſe, in making great Preparations of Men and Money to carry on the War the Year following.

A Parliament held, in which the Statute *de Bigamis* was paſſed.

Vide Stat. de Bigamis, 4 of *Edw.* I. in the Printed Statute Books.

But to leave Military, and return to Civil Affairs: I find nothing of particular Moment to have been tranſacted till ſome time after *Michaelmas*, when the King held another Parliament at *Weſtminſter*, in which the Statute *de Bigamis* was made, having been firſt drawn up in Chapters, and recited in the Preſence of certain of the Biſhops, Juſtices, and others of the King's Council, who did all agree, That they ſhould be publiſhed for perpetual Memory; and they were then confirmed and paſſed into an Act by the King and his Parliament, as appears by the Concluſion of this Statute; which I here take notice of, that the Reader may obſerve the Form of drawing up and paſſing Acts of Parliament in this Age.

Why it is ſo called and the effect of that Decree.

But to come to the Statute it ſelf; it derives its Title from the Fifth Chapter or Conſtitution of it, being an Interpretation of the Sixteenrh Canon of the Second Council of *Lyons*; wherein, among other things, Pope *Gregory* X. determined that long diſputed Queſtion concerning Perſons twice married, whom He thereby declares utterly deprived and uncapable of all Clerical Privileges, and left them to the Secular Juriſdiction; and farther forbad them, under a Curſe, either to be ſhaven, or wear a Clergyman's Habit.

All Perſons that had been twice married are excluded from all Clerical Privilege by this Stat.

Upon this Decree ſome Biſhops or *Ordinaries* in *England* did take this Canon to extend only to thoſe that were twice married after the making of this Canon; but as to ſuch as were in that State before that time, theſe being arraigned for ſtealing, the Biſhops required to be delivered up to them, that they might have the Benefit of their Clergy: For the ſettling of which dubious Point, this Statute was made, wherein it is declared, That the aforeſaid Conſtitution or Decree ſhould be ſo underſtood for the future, that thoſe who were *Bigamiſts*, as well before as after the making of it, ſhould for the time coming not be delivered to the Prelates, but have Juſtice paſs upon them as meer Laymen. This Statute, though now obſolete, yet ſince it ſhews the Judgment of the Parliament of that Age, concerning this Point, deſerves our Notice.

Anno Dom. MCCLXXVI.

[2] *H ſt. MS. Rob. Aveſbury, Cap* 6. A great Tourneament held in *Cheapſide.*

And now to intermix ſomewhat of military Matters for the Diverſion of the Reader; I ſhall here take Notice, [2] that about *Michaelmas* before, the King to enure his Nobility to Feats of Arms, held a great Tourneament at *Jouſtings* (as they were then call'd) in *Cheapſide*, ſuch a one as the like had not been ſeen before, conſiſting of the moſt Active and Courageous Young Noblemen and Knights of the whole Kingdom; this is the firſt time I can find theſe martial Exerciſes to have been performed at this Place, though in the Reign of King *Edward* the *Third*, his Grandſon, they were frequently held there.

The King reſolves to proſecute the War againſt *Wales.*

* *Rot. Scutag,* 5 *Ed.* 1. *M.* 8. The Form of the Kings Summons to his Military Tenants.

King *Edward* being now reſolved to make a vigorous War to reduce the Prince of *Wales*, at the latter end of this Year iſſued out his * Writs of Summons, bearing date the Twelth day of *December*, directed to all Lords, whether Spiritual or Temporal, and to all others that held of him by Knights Service; which Writs being very remarkable, I ſhall here inſert a Copy of them. *Whereas* Llewellyn *the Son of* Griffin *Prince of* Wales *and his accomplices Our Rebels, have invaded the Lands of Our Subjects in the Marches, and do daily invade them, and commit Murthers and other Wickedneſſes, and the ſame* Llewellyn *refuſes to obey Us, as he ought, to the great Prejudice and Contempt of Us, and to the manifeſt Diſinheritance and great Damage of* you (the Perſon to whom the Writ was directed) *and other of Our Subjects, We have therefore now cauſed Our Army to be Summoned at* Worceſter, *eight days after the Feaſt of St.* John *the Baptiſt, to repreſs the Rebellion of the ſaid* Llewellyn *and his Aſſiſtants; wherefore We command you to be ready with your Horſes and Arms, and with your Service due to Us, to march with Us from thence againſt the aforeſaid* Llewellyn, *&c.* So this Winter and part of the Summer following was ſpent in making great Preparations for the War againſt *Wales*; the King in the mean while acting only defenſively.

[3] *M. W. T. W.* The Death of Pope *Gregory*, and two other Popes within one Year.

I ſhall conclude this Year with ſome Eccleſiaſtical Affairs worth our remarking, though they fell out in *Italy*; when [3] Pope *Gregory* X. deceaſing the latter end of the laſt Year, was in the beginning of this Succeeded by *Innocent* V. who ſate but five Months and two days, and then dying He was ſucceeded by Cardinal *Ottobon* (who had been Legate in *England*) and now took the name of *Adrian* V. but he governed only two Months more, and upon his deceaſe *Peter* a *Spaniard* was choſen Pope, and was ſtyled *John* the XXI. He was accounted a great Scholar, yet lived to forget all his Learning, having ſcarce common Senſe for ſome time before he died, which was the Year following; And that which was moſt obſervable, is, That there were no leſs then four Popes in the ſpace of little more then one Year. But to return to the Affairs of *England*:

Anno. Dom. MCCLXXVII.

3 *Chron. T. Wikes ad Annum,* 1276. The King ſends down ſome Forces to defend the Borders of *Wales.*

This Year begins with the War againſt *Wales*; when not long after *Chriſtmas* the King, till He could raiſe his Army, ſent down Forces towards the Borders of that Country, to defend them and hinder the Incurſions of the *Welſhmen*, which was very well perform'd; [4] then Fifteen days after *Eaſter* King *Edward*, leaving *London*, began his Journey towards *Wales*, the whole Militia of *England* being to meet Him at *Worceſter*, according to his Summons: But perceiving his Stay in thoſe Parts was like to be of ſome Continuance, He removed his Courts of Juſtice to *Shrewsbury*; and arriving at *Worceſter* before the time appointed,

[4] *M. W.* And then Marches with his whole Army for that Country, and removes his Courts to *Shrewsbury.*

Anno Dom. MCCLXXVII.

[5] *T.Wikes ad An.* 1277.

The King re-builds the Caſtles of *Rothland* and *Flynt*.

The *Welſh* flee to the Mountain of *Snowdun*.

ted, He marched towards *Midſummer* into [5] *Wales*, beyond *Cheſter*; and coming to a thick Wood, which he ſound unpaſſable for his Army, He cauſed a large Way to be cut through it, by which He got into *Lluellyn*'s Territories, and then making ſome Stay near the River *Dee*, He order"d the Caſtle of *Rothland*, which had been demoliſhed by the *Welſh* Prince, to be repaired; and alſo new built the Caſtle of *Flynt*, for the better Security of thoſe Marches. Upon the King's Approach the *Welſh*, terrified by ſo great a Force, fled for Refuge to their old Retreat the Mountain of *Snowdun*; where the King being at preſent not able eaſily to aſſault them by Land, made War upon them by Sea; and with the Aſſiſtance of a numerous Fleet, ſet out and mann'd by thoſe of the *Cinque-Ports*, He landed great part of his Army in the Iſle of *Angleſey*, and made an entire Conqueſt of it, though He afterwards reſtored it to *Lluellyn* upon the Peace. But in the mean while the King's Forces, under the Command of *Payne de Canurſis* in *South-wales*, found much better Succeſs; for the People of that Country fearing the Power of King *Edward*'s Army, preſently ſubmitted themſelves, and delivered up the ſtrong Caſtle of *Yſtratwy* to his General abovementioned.

The K. Conquers the Iſle of *Angleſey*. Dr. *Powel*'s *Chron. ad hunc Ann.*

Southwales ſubmits to K. *Edward*'s General.

But the War was carried on in *North-wales* with great Vigour, all this Summer, till the *Autumn* following, when upon this unexpected Succeſs, Prince *Llewellyn* ſeeing his Country almoſt loſt, and *South-wales* already ſubdued, and that his Subjects had many of them forſaken him; being unable any longer to reſiſt the King's Forces, [2] he at laſt ſued to Him for Peace, which was there treated, and ſoon agreed on, by Commiſſioners appointed on both ſides, upon the following Articles:

[2] *Ib. M. W.*

A Peace between the K. and the Pr. of *Wales*, with the Conditions.

I. That all *Engliſh* Priſoners ſhould be releaſed freely, without claiming any thing from them.

II. That for this Peace, and the King's Goodwill, he ſhould pay, at the King's Pleaſure, Fifty thouſand Pounds Sterling.

III. That Four Cantreds, and all the Lands conquered by the *Engliſh*, (except *Angleſey*) ſhould be and remain to the King and his Heirs for ever: And for *Angleſey*, the Prince was to enjoy it, paying the King One thouſand Marks every Year, the firſt Payment to begin at *Michaelmas* then at hand; and as a Fine for his Ingreſs or Entry upon it, Five thouſand Marks: And if the Prince died without Heirs, the King to have the Poſſeſſion of it.

IV. That he ſhould come into *England* to the King at *Chriſtmas*, to do his Homage.

V. That all the Homages in *Wales* ſhould be to the King, except thoſe of Five Barons that lived in the Confines of *Snowdun*; becauſe he could not be called Prince, unleſs he had ſome Barons under him; yet this only for his Life; but after his Death the Homages of thoſe Five Barons ſhould remain to the King and his Heirs for ever.

VI. Item, for the Performance of theſe Articles, he delivered to the King Ten Hoſtages, of the beſt Perſons in *Wales*, but without being reſtrain'd or diſinherited; and the beſt Men of every Cantred, and of *Snowdun*, by Conſent of the Prince, were to ſwear upon the *Holy Relicks*, That whenſoever the Prince broke any of theſe Articles, unleſs upon Admonition he preſently amended, they were to leave him, and become his Enemies.

The Prince was alſo bound to make Satisfaction to his Brothers for the Injuries he had done them; and they were Three, *Owen* and *Roderick*, *Anno Dom.* MCCLXXVII.

rick, whom he had put in Priſon, and *David* whom he had forced to fly into *England*; where having long ſerved the King, He Knighted him, and gave him the Daughter of the Earl of *Derby* in Marriage, as alſo *Denbigh*-Caſtle, and a thouſand Pounds *per Annum* beſides; in conſideration of which, he was to permit the Prince his Brother to enjoy that part of the Eſtate in *Wales* that came to him from his Father. I have no more to add concerning this Peace, but that the King Authorized *Robert Tiptoft*, *Anthony Beke*, and *William de Southampton*, Provincial of the Friars-Preachers, as his Commiſſioners to receive Prince *Llewellyn*'s Oath to obſerve it; and the Prince appointed on his part *Theodor* ap *Ednyuet*, and *Grono* ap *Heilyn* to receive the like Oath from the Lord *Robert Tiptoft* on the behalf of the King, who thought it beneath Him to Swear in Perſon; but ſince by this Agreement there was little more left to poor *Llewellyn*, than the meer Title of a Prince, it is no wonder, that being a Man of a haughty Spirit, and receiving further provocations from the *Engliſh*, if in ſome years after, he began another War, which ended in the ruin of himſelf and Family.

[3] *T. W.*

The Laity grant the King a Thirtieth Part of their moveable Goods.

Upon this Succeſs, the King (having built the Caſtle of *Lampader-Vaur* for the Security of the Marches,) returned into *England* with Honour, and at his Return the Laity granted him a Thirtieth part of their moveable Goods for the Charges of his *Welſh* Expedition, which was done in Parliament, though our Author does not expreſly mention it, which ſhews us that there were many more Parliaments, than we can now find upon Record.

[4] *Id.*

As to Church Matters in *England*, [4] *Walter de Merton* Biſhop of *Rocheſter*, and late Lord Chancellor, in a Journey as he paſſed over a dangerous Ford, had the miſhap to fall from his Horſe into the Water, and being with ſome difficulty pulled out, he thereby got cold, and died not long after; who deſerves our remembrance, as having, *Anno Domini* 1267, founded *Merton* College in *Oxford*, which hath produced many Prelates and other Perſons famous for their Learning and Worth.

[5[*C. N. Trivet.*

Pope *John* XXI dies of a bruiſe, and is ſucceeded by *Nicholas* III.

If we look into *Italy*, [5] Pope *John* XXI, being extreamly bruiſed by the fall of ſome new Lodgings, which He had built at his Palace at *Viterbo*, died of it in a few days; to whom ſucceeded *John*, Cardinal and Biſhop of *Cajeta* of the noble Family of the *Urſini*, who was called Pope *Nicholas* the Third: He was alſo learned, and wrote ſeveral Treatiſes.

It is likewiſe very remarkable, that in leſs then two Years there were five Popes who ſucceded each other.

Anno Dom. MCCLXXVIII

An Waver.

The King and Queen go to *Glaſtenbury* and there view King *Arth.*'s Bones.

The firſt Action I can find to have been perform'd by the King this Year, is the Progreſs which He and his Queen made at *Eaſter* to *Glaſtenbury-Abbey*, where He cauſed the Bones of King *Arthur* to be taken out of their Tomb, or Coffin, and having ſurveyed them with Admiration, order'd them to be laid up in their Treaſury, that all Men might ſee them; then the King and Queen having made rich Offerings or Preſents to that Monaſtery, return'd to *London*.

* *In Bib. Bodleian. pergulâ novâ.*

Another Relation of this Matter from the old Leiger Book.

But the Antient * Leiger Book that once belonged to the Abbey of *Glaſtenbury* (called *Secretum Abbatis*) relates this Story ſomewhat otherwiſe, and though it agrees with the former concerning the King and Queen's then viewing King *Arthur*'s Bones, yet it alſo mentions thoſe of Queen *Guenevere* his Wife, both which the King ordered to be again put into their ſeveral Coffins, only that of King *Arthur*'s

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thur's were ordered to be laid by the High-Altar with an *Inſcription*, ſetting forth at large whoſe Bones they were, and that they had been viewed by King *Edward* and his Queen this very Year, in the Preſence of the Biſhop Elect of *Norwich*, and other Clergymen and Noblemen of *England*, as alſo of the Earl of *Savoy*, who was then here. This ſhews us the truth of what was related in the firſt Volume of this Hiſtory, concerning King *Arthur*'s Bones being diſcovered in the Reign of *Henry* II. But to come to Matters of greater moment:

1 Vol. Book 3. p. 137.

A Parliament at *Gloceſter*, and the Laws there made.

About Fifteen days after *Midſummer* the King ſummoned a Parliament at *Gloceſter*, in which were made that Body of Laws called the Statutes of *Gloceſter*, containing fourteen Chapters, of which you will ſee the Titles or Heads at the end of this Reign: But I muſt Advertiſe the Reader that the date of the Year, in the Preface to theſe Statutes in the * Printed Copy is miſtaken, being *Anno Domini* 1277. whereas it ſhould have been 1278. and ſo is likewiſe the Publication of them, which is there ſaid to be given at *Gloceſter* the Fourth of *October*, whereas the Explanations of theſe Statutes, which immediately follow them, bear date likewiſe at *Gloceſter*, the Sunday after the Feaſt of St. *Peter* ad *Vincula* (which is the Sixteenth of *Auguſt*) ſo that this Parliament ſate about Five Weeks, which was a very long Seſſion in thoſe Times.

* *Vid. Keebles Stat. ad hunc Annum.*

[2] *Ch. Abing. C. W. H.*

The King iſſues out his Writs of *Quo Warranto*. The Earl of *Surrey* being Summoned, gives ſo ſtout an Anſwer, as ſtopt thoſe Proceedings.

Not long after this Parliament, (2) the King iſſued out certain Writs of Enquiry called of *Quo Warranto* (*i. e.* by what Warrant or Authority Men held their Eſtates) and if they could not ſhew a good Title, they were to be ſeized into the King's Hands; whereupon *John* Earl of *Warren* and *Surrey* being cited amongſt others to ſhew the Title of his Eſtate before the King's Juſtices, and aſked by what Warrant he held them, ſaid thus, *My Anceſtors coming in with* William *the* Baſtard, *won theſe Lands by the Sword, and by the Sword I will defend them againſt any that will take them away; for that King did not Conquer for Himſelf alone, neither did my Anceſtors aſſiſt Him for that end:* Which being heard by the reſt of the great Men there preſent, they were much incenſed; and when the King perceived it, He was affraid, and deſiſted from his Enterpriſe of looking further into Men's Titles.

I am ſenſible that this Story may be urged by ſome as an Inſtance, That it was an Opinion then generally received, that King *William* the *Firſt* had a Right by Conqueſt to all the Lands of *England*: Perhaps the Nobility of the *Norman* Race might then believe ſo; but this doth neither prove the matter of Right, nor yet that of Fact, that ever King *William* claimed *England* by Conqueſt; But however this Inſtance plainly ſhews, that thoſe Noblemen never believed that King *William* thereby acquired an abſolute Power over them and their Eſtates.

[3] *T. Wi. M. W.*

The King goes again into *Wales*, to obſerve the Motions of the *Welſh* Prince.

[3] Prince *Llewellyn* having fail'd to appear at ſeveral Parliaments to which he had been Summoned, it made the King Jealous, that this Prince intended to break the Peace; and therefore He reſolved to go down in Perſon into the Marches of *Wales*, attended but with a ſmall Guard, about the middle of *Auguſt*, to obſerve his Motions: But ſo ſoon as the Prince heard of the King's Arrival, being afraid of his Indignation, he preſently attended Him, and making plauſable Excuſes for his not appearing, ſo far regain'd the King's Favour, as to obtain his Conſent to Marry the Lady *Eleanor* abovemention'd, and to whom he was already Contracted.

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Therefore it is very likely, that the King continued in theſe Parts till after *Michaelmas*, and it is probable that then He being reconciled to the *Welſh* Prince, [4] he accompanied Him to *Worceſter* * where on the Third of *October*, he was ſolemnly Married to that Lady, whom he had ſo long Courted, the Queen and moſt of the Nobility of *England* being preſent at the Solemnity, and the Expences of the Wedding were wholly defray'd by the King: And this Prince waited on Him to *Weſtminſter* with his new Bride, where they kept their *Chriſtmas* with great Jollity. But this Lady dying the Year following, and thereby the main Bond of this Peace failing, it is no wonder if it did not laſt long, as you will find hereafter.

Who is now Married to *Simon Montfort's* Daughter.

[4] **T. Wi.*

About the middle of *October* the King held another Parliament at *Weſtminſter*, though what was done there we do not find; only that *Alexander* King of *Scots* appeared at it, either to do his Homage (as the Annals of *Worceſter* ſuppoſe) for *Tivedale* and *Weſtmorland*, or elſe (as *Walſingham* relates) only to conſult with the King concerning ſome weighty Affairs relating to his own Kingdom; which is the more likely of the two, ſince he had already perform'd his Homage at the King's Coronation: But at this Parliament, he [1] alſo obtain'd the Royal Letters, teſtifying, That the late Aſſiſtance which he had given the King in the War againſt *Wales*, was not done by reaſon of any Service due to the Crown of *England*.

[5] *Id. ib.*

The King holds another Parliament at *Weſtminſter*, at which the King of *Scots* appears.

Angl. Sacra Vol. 1.

[1] *F. Wal.*

There happened little elſe conſiderable, but that the King finding His Money to be very much clipped, and the *Jews* being accuſed as the Authors of it, about the middle of *November* * He cauſed all of them in *England* to be ſeized and put in Priſon in one day, a great many of whom being found Guilty of that Crime before certain Juſtices, whom the King had appointed for that Purpoſe, no leſs than Two hundred and fourſcore *Jews* of both Sexes were executed at *London* for this Offence, beſides a Great number of them who ſuffered in other Cities in *England*.

[2] *Id. ib.*

Many *Jews* ſeized and Executed for clipping the Money.

**M. W. T. W.*

Alſo this Year the Queen of *Caſtile*, Mother to Queen *Eleanor* deceaſed, by whoſe Death the Earldom of *Ponthieu* in *Picardy*, fell to Queen *Eleanor* Her Daughter, as right Heir thereof.

[3] *M. W.*

The Queen of *Caſtile* deceaſes.

As for Church Affairs, this Year Pope [4] *Nicholas* created *Robert Kilwarby*, Archbiſhop of *Canterbury*, a Cardinal; and commanding his Attendance in *Italy*, made him Biſhop of *Porto*, which Honour the Archbiſhop accepted, though much to his Loſs: So reſigning his Archbiſhoprick, he went into *Italy*, and there deceaſed not long after. But it may very well be queſtion'd, whether the Pope advanced this Archbiſhop, ſo much out of Reſpect to him, as to get him from ſo conſiderable a Poſt, and to put one of his own Favourites in his place: For when *Robert Burnel*, Biſhop of *Bath* and *Wells*, the King's Chancellor, had been Canonically Elected Archbiſhop, the Pope vacated the Election, and by his ſole Authority conferr'd that Dignity upon *John Pecham* a Friar Minor, then his Reader or Lecturer in Divinity; who coming over into *England*, was Conſecrated the Year following, and proved a notable Stickler for the Papal Power.

[4] *Id. ib.*

Robert Kilwarby Archbiſhop of *Canterbury*, being made a Cardinal, leaves the Kingdom, and goes to *Rome*.

He is ſucceded by *John Pecham* a Friar Minor.

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I find little worth noting to have happened this Year, until the beginning of this Summer, * when the King, together with the Queen, paſſed the Seas into *France* about the Feaſt of *Aſcenſion*, and were honourably entertain'd by King *Philip* and the Great Men of his Kingdom at *Amiens*;

**Id.*

The King goes into *France* and renews His Homage to that King.

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Vid. Mezer Hiſt. de France. ad hunc An.

Amiens; and there he received the Homages of the King and Queen of *England*, of the former for the Countries of *Agenois*, *Limoſin*, *Perigord*, *Xantoigne* in *Aquitain*; and of them both for the Earldom of *Ponthieu* in *Picardy*, lately fallen to the Queen: And then that King confirmed the Poſſeſſion of thoſe Territories to them and their Heirs; and for this Grant King *Edward* reſign'd all his Right in the Dutchy of *Normandy*, only reſerving Thirty Livres of *Paris* Money to be paid Annually out of the King's Exchequer; though I do not find that this ſmall Tribute or Acknowledgment was ever paid. When the King had diſpatch'd his Affairs in *France*, He and his Queen returned into *England* a little before *Midſummer*.

[5] *Chron. Abing. MS.* *M. W.* All the Money of the Kingdom is new coin'd.

[1] *M. W.* A great Tourneament held at *Warwick*.

The Firſt thing He did after his Return, was, [5] the new coining all the Money of the Kingdom, which had been ſpoiled by the clipping of the *Jews*; and whereas the Penny before this King's time was ſtamped with a deep Croſs quite through the midſt of it, ſo that it might be divided according to Peoples occaſions into Half-pence and Farthings, the King now ordered a new Penny to be coin'd, which was called the *Penny-Round*, theſe were of the ſame Value with the former, *viz.* Fourpence Sterling, and a Pound of Silver being then worth Three Pounds, weighed alſo a Pound weight: But you are alſo to obſerve that this new Coin was called the *Round-Penny*, not as if the Old Peices had not been alſo coin'd of the ſame Figure, but becauſe being now ſtamped without any ſuch deep Creviſe through the middle, they could not be any more divided as they were before; and at this time there was no more then one ſort of Silver coin'd in *England* (*viz.* Pence.) Nothing elſe happened remarkable, only the [1] Lord *Roger de Mortimer* this Year held a Great Tourneament at *Warwick* of a hundred Knights, who were called Knights of the *Round Table*, in memory of the old Romantick Round Table of King *Arthur*. To this Solemnity, vaſt numbers both of Foreign and *Engliſh* Noblemen reſorting, a great deal of Money was there idlely expended.

A Provincial Synod at *Reading*.

[2] *Chron. de Abing. MS. in Bib. Pub. Cantab. Regiſt. Peckham* MS. Printed in *Spelman's* Council, 2d Vol. *ad hunc An*

* *Ad finem p.* 25.

* *Vid.* Dr. Wakes State of the Church, p. 220.

Vid. p. 329, 389, 446.

As for Eccleſiaſtical Affairs, the moſt remarkable is, That this new Archbiſhop of *Canterbury*, about St. *James-tide*, [2] held a Provincial Council or Synod at *Reading*, in which divers Antient Decrees of General Councils were revived, and ſeveral new Canons made, and among theſe, this Conſiderable one, that all Rectors or Parſons of Churches ſhould for the future enjoy but one ſingle Benefice with cure of Souls: And whereas another Canon of this Council is ſet down in * *Lynwoods* Provincial Conſtitutions, as if it had been then ordain'd, that the Inferior Clergy of every Dioceſs ſhould be repreſented, *and appear in each future Synod or Council by two Proctors at leaſt, choſen by the ſaid Clergy*, this is added to * *Lynwood*, and is not found in the antient Manuſcript Copies of this Council: However, many Years before this, the Inferior Dignified Clergy, ſuch as Deans and Priors, with the Proctors for the Chapters of Cathedral Churches, often appeared in thoſe Aſſemblies, and were thereunto impower'd by Inſtruments, or Letters of Proxy from the ſaid Bodies for that purpoſe, as were likewiſe the Arch Deacons, by a like Inſtrument, to repreſent and act for the Inferior or Parochial Clergy of each Dioceſe, who in thoſe days, when Synods were frequent, were willing to be excuſed the Expence and Trouble of Attendance: And this method was often practiſed during the long Reign of *Henry* the *Third*, as appears from the Authorities of *Matt. Paris*, cited

in

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in the Margin; but from about the Tenth of *Edward* the *Firſt*, the Proctors of the Inferior Clergy, have been moſt commonly admitted into our Provincial Councils.

The State of the Church and Clergy, lately Printed, Cap. VI, VII.

Yet that theſe Synods were not uſually Summoned at the ſame time with the Parliament, appears by what the Learned Dr. *Wake* (already cited) has proved at large. However Proctors of the Inferior Clergy were not called to Parliament 'till the Twenty third Year of this King's Reign, when He Summoned all the Biſhops, Abbots, and Inferior Clergy to His Parliament at *London*, and made them appear there as a Third Eſtate; of which you will find more hereafter.

Chron. de Lanercoſt, MS. in Bib. Cott.

Walter Arch Biſhop of *York* dies.

Alſo this Year deceaſed *Walter Giffard*, Archbiſhop of *York*, a jolly hoſpitable Prelate, who was ſucceeded by *William Wickwaine*, of a quite contrary Temper, being lean, ſevere, and covetous; but otherwiſe of a ſtrict and unblamable Converſation.

* *Vid.* the Stat. at large, *ad hunc An.*

The Statute of *Mortmain* enacted, with the effect thereof.

But the chief thing worth our notice this Year, is, That the King having Summoned a Council at *Weſtminſter* in the beginning of *November*, that famous *Statute of *Mortmain* was enacted; whereby all Perſons as well Religious as Others, were ſtrictly forbid to ſell, give, or Leaſe out any Lands or Tenements, whereby ſuch Lands, *&c.* might any ways come into *Mortmain* (*i. e.* into the hands of Eccleſiaſtical or Religious Perſons, who were looked upon as dead hands, becauſe they did not give the Kingdom any Military Defence or Aſſiſtance) under pain of forfeiture thereof; and in ſuch caſe the next Lords of the Fee ſhould have Power to enter upon the ſame. The reaſon of which Statute is beſt underſtood by the Preamble to it, which I ſhall here ſet down.

* *Vid. Stat.* 9. *H.* 3. *C.* 36.

For the reaſon of this Statute, ſee *Notit. Monaſtica. pref. p.* 58.

‘Whereas of *late it was provided, That Religious Men ſhould not enter into the Fees of any, without Licence and Will of the Chief Lords, of whom ſuch Fees be holden immediately; yet notwithſtanding ſuch Religious Men have entred as well into their own Fees, as into the Fees of other Men, appropirating and buying them, and ſome time receiving them of the Gift of others, whereby the Services, that are due of ſuch Fees, and which at the beginning were provided for Defence of the Realm, are wrongfully withdrawn, and the Chief Lords do Leeſe their Eſcheats of the ſame: We therefore, *&c.* Then follows the enacting Part, which is repeated more at large among the Laws at the end of this Reign; therefore I ſhall ſay no more of it here, but that Monkery did thereby receive ſo great a Blow, that it is no wonder our Monkiſh Authors thereupon complain, *that the Eſtates of the Kingdom wanted Faith to believe that the Army of the* Amalakites *was more ſubdued by the hand of* Moſes, *then the Fighting of the Children of* Iſrael; as if the Prayers of the Monks, and thoſe of *Moſes*, had the like efficacy. But enough of theſe Fopperies.

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[4] *T. W. Ypod. Newſt.*

King *Edward* makes a Monument for His Father.

This Year proving Barren of Civil Matters of any great moment, I ſhall give you all I can find to have been performed in it, which is, [4] That King *Edward* now cauſed a Noble Toomb to be made for the King His Father, in the Abbey Church of *Weſtminſter*, and adorned it with thoſe *Jaſper* Stones He had brought with Him out of *France* for that end: It is that very Tomb, which is to be ſeen at this day, with King *Henry*'s Effigies upon it in Braſs, near that of *Edward* the Confeſſor, and is, I ſuppoſe, the moſt antient of that kind in *England*;

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that of King *John* at *Worceſter*, with His Image upon it, being erected after the end of His Son's Reign.

[5] *Id. Hiſtor. Angl. Concil.* Spelman, 2 Vol.

A Synod at *Lambeth*, and what was there decreed.

[1] *C. T. Wikes.*

[2] *Ch. Abing.*

As for Eccleſiaſtical Affairs, [5] the Archbiſhop of *Canterbury*, in the beginning of the Month of *October*, held a General Synod of the Biſhops and Clergy of his Province at *Lambeth*; where ſeveral new Canons were decreed, and thoſe of *Otto* and *Ottoban* Legates in the time of King *Henry* the *Third*, were again renewed and confirmed. The Archbiſhop then made alſo divers other Conſtitutions in that Synod, as [1] that all Rectors of Churches having care of Souls, ſhould be made Prieſts within a Year enſuing, or elſe be deprived of their Benefices; which ſhews the corruption of the Church at that Time, when meer Deacons, if they had *curam Animarum*, might put in Curates to officiate for them. [2] The Archbiſhop did at the ſame time propoſe to annull ſeveral Prerogatives belonging to the King, and relating to Eccleſiaſtical Benefices, and Perſons, as his Cognizance of *de Jure Patronatus*, or of the Right of *Patronage* or *Preſentation*, and Pleas concerning the Chattles of Clergymen; but when the King found what they were doing, He ſent thither certain Commiſſioners, who openly declared againſt their Proceedings, and threatned all ſuch as ſhould preſume to intrench upon the Royal Prerogative; and ſo put an End to thoſe Debates. There were then alſo made divers other Conſtitutions Eccleſiaſtical, for which I refer the Reader to Sir *H. Spelman*'s 2d Volume of the *Brittiſh* Councils.

* *M. W. ad An* 1281.

Abbots and Priors exempt refuſing to appear at this Synod are excomunicated by the Archbiſhop.

[3] *Id. ib.*

Americ de Moutfort is ſet at Liberty. *T. Wi.*

I ſhall here further obſerve, * That the Archbiſhop having ſummoned to this Synod all Abbots, and Priors, as well *Exempt* as not *Exempt* from Epiſcopal Juriſdiction, the latter refuſing to appear, the Archbiſhop thereupon iſſued out a Severe Sentence againſt them, by which he *ſuſpended* all ſuch *Exempt* Abbots and Priors from ſo much as entring into their Churches; from which Sentence the Abbots of *Weſtminſter*, St. *Edmundsbury*, and *Waltham*, together with the whole *Ciſtertian* Order, did ſtrait appeal to the Pope; but I do not find that any thing farther came of it. Nothing elſe happen'd remarkable in Church Matters, [3] but that *Americ de Montfort* the King's Couſin, who had been Four Years a Priſoner, was now by the Interceſſion of the Archbiſhop of *Canterbury* diſcharged of his Impriſonment, as being a Clergyman in Holy orders, upon which he immediately went to his Relations in *Italy*; where in the mean while, Pope *Nicholas* III. dying ſuddenly, *Simon* of *Towrs*, Cardinal of St. *Sabin*'s, was choſen in his ſtead, who took the Name of *Martin* IV.

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[4] Dr. *Ps. Chron.*

Prince *Llewellyn* afreſh exaſperated againſt the King, and upon what Occaſion.

Prince *Llewellyn*, having for about Four Years laſt paſt, pretty well obſerved the late Treaty of Peace; and his Wife the King's Couſin dying about this time, he now grew more and more exaſperated againſt the King and *Engliſh* Nation, daily complaining of great Grievances and Oppreſſions impoſed upon him by the Wardens of the Marches, and the Chief Juſtice of *Cheſter*; who only minding their own profit, oppreſſed the Inhabitants with new Exactions, contrary to the Laws and Cuſtoms of the Country; as alſo that they ſhewed themſelves partial to the *Engliſh* in any Suit or difference at Law that came before them; which exactions and partiality did ſo alienate the Hearts of the *Welſhmen* from the King of *England*, that they reſolved to endure any thing rather then theſe Oppreſſions: Whereſore the Noblemen and People Aſſembling together, prevailed upon *David* Lord of *Denbigh* to be reconciled to Prince *Llewllyn* his Brother; and taking pitty upon the miſerable Condition of the Country, to become their Captain and General, as being more experienced in Matters of War than the Prince himſelf.

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But one of the Chief Conditions of *David*'s Reconciliation to the Prince his Brother was, That he promiſed, he would never after ſerve the King of *England* as he had done before, but become his utter Enemy: Which being done, [5] *David* preſently began the War, and beſieged and took the Caſtle of *Harwarden*, and therein Sir *Roger Clifford*, Juſtice of the Marches, who was grievouſly wounded; ſlaying all that reſiſted, and ſpoiling all the Country. This done, he with his Brother the Prince laid Siege to the Caſtle of *Rothland*.

Prince *Llewellyn* is reconciled to his Brother, on condition he would quit the *Engliſh* Intereſt.

Id. Ib.

[5] *T. Wa. Ypod. Newſt.*

Prince *Llewellyn* revolts, takes the King's Juſtice Priſoner, and ſpoils the *Engliſh* Borders.

When the King (who was then keeping his *Eaſter* at the *Deviſes*) heard this, He preſently ſummoned a Council of his Nobility to meet him on *Midſummer-day* at *Worceſter*, and to be all ready to attend Him with their Horſes and Arms at the Feaſt of *St. Peter*, or the Nine and twentieth of *Auguſt*. The King then perceiving this War was like to continue long, [2] He, to be nearer his Civil as well as Military Affairs, removed his Courts of Juſtice from *Weſtminſter* to *Shrewsbury*, and raiſing a Great Army out of all the Counties of *England*, marched towards *Wales* to raiſe the Seige; but upon his Approach, the Prince with his Army retired into the mountainous Parts of the Country: But ſome time before this, *Rees* the Son of *Maelgon*, and *Griffyth ap Owen*, with other Noblemen of *South-Wales* took the ſtrong Caſtle of *Aberyſtwyth* (otherwiſe called *Lampader Vaur*) and divers other Caſtles in that Country, ſpoiling all the *Engliſh* that inhabited thereabouts.

[1] *Chron. T. Wikes Annal. Wigorn.*

The King Summons a great Council at *Worceſter*.

[2] *Matt. Weſt.*

And removes his Courts from *Weſtminſter* to *Shrewsbury*, and raiſing a great Army Marches into *Wales*.

To put an amicable end to this War, [3] the King (being now at *Rothland* Caſtle) ſent the Archbiſhop of *Canterbury* to treat with the *Welſh* Prince and his Brothers; or as the Archbiſhop in his Propoſals to the Prince ſets forth, he went of his own accord (without the King's Order) to Mediate a Peace between the King and him.

[3] *Id. Ib.*

The King ſent the Arch-Biſhop of *Canterbury* to Treat with the *Welſh* Prince about a Peace.

* Dr. *Powell* in his Chronicle hath given us all the Proceedings of this Treaty with the *Welſh* Prince, from the Manuſcript Regiſter of *John Pecham*, Archbiſhop of *Canterbury*; having firſt ſet down the Requeſts and Complaints of the ſaid Archbiſhop to the Prince of *Wales* and his People, concerning their late Breach of the Peace, and their ſudden making War upon the *Engliſh*. And in return to theſe Articles, there follows the Prince's Anſwer or Apology for his late Actions, wherein he ſets forth the great Oppreſſions and Injuries offer'd by the King and his Officers to himſelf and Subjects, contrary to the Articles of Peace lately made; which Grievances being redreſſed, he declares himſelf ready to make Amends for all Treſpaſſes and Wrongs done by him, to the utmoſt of his Power; and if the like may be perform'd on the King's part, he would then conclude and eſtabliſh a laſting and a Firm Peace, and that without raiſing any Army, or moving the Prelates of the Church to *Excommunicate* them; ſo concludes with deſiring the Archbiſhop not to give credit to the falſe Suggeſtions of his Enemies. Dated at *Garth-Celyn*, at the Feaſt of *St. Martin* (*i. e.* the Eleventh of *November*,) 1381.

* P 338 to 371.

Vid. Arch-Biſhop *Pechams Reg.* p. 344. 346.

The Arch-Biſhop's Complaints againſt the Prince.

This Defence is written in Latine, and is very well and cloſeſly pen'd according to the mode of Writing at that time. Then follows

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The Heads of the Prince's Articles of the Grievances & Oppreſſions committed by the K. and his Officers.

a large Liſt of the particular Grievances and Oppreſſions, ſent with the ſaid Appology from Prince *Llewellyn* to the Archbiſhop; which are tranſlated Word for Word out of the ſaid Records, containing Eleven Heads or Articles.

The *Firſt* of which, is, the King's detaining divers Lands in *Aruſtly*, betwixt the Rivers of *Dyui* and *Dulas*; which though the King had granted ſhould be examined according to the Laws and Cuſtoms of *Wales*, yet notwithſtanding, the Day of appearing before the King was not only put off, but he the Prince was cited to other Places, where he ought not to have been ſummoned: Neither could he obtain any Juſtice or Judgment, unleſs it were according to the Laws of *England*, contrary to the Articles of the Peace. Nay at the laſt the King Himſelf at *London* denied him Juſtice, unleſs he would be judged according to the *Engliſh* Laws in the ſaid Matter.

The *Second* ſets forth, That when the Lord *Reginald Gray* was made Juſtice, he began divers Accuſations againſt the Men of *Tegengl* and *Ros*, for Treſpaſſes done in the time of the late King *Henry*, contrary to an Article of Peace, whereby all Injuries on both ſides were to be remitted.

The *Third* ſets forth the Injury done to *Rees ap Maelgon*, in being ſpoiled of his Lands of *Geneurglyn*, which he then held, together with the Tenants and Cattel upon the Premiſſes.

The *Fourth* contains another Complaint againſt the Lord *Reginald Gray*, for introducing many new Cuſtoms into the Four *Cantreds*, which the King holds in his hands contrary to his own Grant and Agreement.

The *Fifth* Grievance, is, the King's ſending Juſtices into *Angleſey*, who preſume there to judge the Men and Subjects of the Prince, ſetting Fines upon them, contrary to the Laws of *Wales*; ſeeing neither this nor any thing like it was ever heard of in times paſt, impriſoning ſome, and outlawing others; whereas the Prince is always ready to do Juſtice to all Men that complain againſt any of his Subjects: And indeed all Controverſies between the Prince and any other within his own Territories, are to be decided according to the Laws of *Wales*, and by no other whatſoever.

The *Sixth* is of no great Moment; therefore I omit it.

The *Seventh* complains of the Exaction of the Duty called *Aurum Reginæ*, which the Prince was forced to advance to the Queen over and above the Money he paid to the King; and beſides which, he was alſo made to pay Two thouſand Marks to the Queen *Mother*.

The *Eighth* ſets forth, That when the Prince laſt waited on the King at *Worceſter*, at his own Marriage, the King, on the ſame day, and juſt before it was ſolemnized, forced him to Seal and Deliver a Writing, containing (among other things) That he would never harbour nor maintain any Man againſt the King's Will; by which Means it might come to paſs, that the beſt of the Prince's Men might be taken from him whenever the King pleaſed.

In the *Ninth* he complains of the Juſtice of *Cheſter*, for levying a Diſtreſs upon his Goods in lieu of a certain Shipwreck which he had ſeized during the late War; notwithſtanding that all ſuch Treſpaſſes on either ſide were releaſed.

The *Tenth* being only concerning the taking away certain Goods belonging to the Prince's Subjects, and killing ſome of them by the *Engliſh*, I barely mention, as being of no great Moment.

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The *Eleventh* ſets forth, Whereas it is contain'd in the Peace, That all things committed in the Marches ſhould be redreſſed in the Marches; yet the King's Officers would not there hear the Prince's Men, but put them in the Caſtle of *Lhanbadarn*, which is againſt the Peace aforeſaid, and by which Articles, and divers others, the King ſtandeth ſworn to the Prince and to his People; and although both He and they have often requeſted that the ſaid Articles ſhould be obſerved, yet that they were never kept, but the King's Juſtices do daily heap more Injuries and Oppreſſions upon the People of thoſe Parts; ſo that he (the Prince) cannot be blamed, if he did aſſent to thoſe who began this laſt War, ſeeing the Oath which the Lord *Robert Tiptoft* had taken for the King, was in no point obſerved; and chiefly ſeeing the Prince was forewarn'd, That he ſhould be taken ſo ſoon as the King came to *Ruthlan*, as he had been indeed if the King had come thither after *Chriſtmas*, as He deſign'd.

Then follow the [3] Grievances done by the King and his Officers to the Lord *David ap Griffyth*, Brother to the Prince; which do not ſeem ſufficient to require the making of a War for them, they being only about the King's uſurping upon him certain Towns, which he claim'd as belonging to thoſe *Cantreds* the King had beſtowed upon him: As alſo for his being made to anſwer, at the Suit of one *William Venables*, at the Court of *Cheſter*, for certain Villages of *Hope* and *Eſton* in *Wales*, which he held of the King, and for which he ought to anſwer no Man, but according to the Laws of *Wales*.

[3] *Ib. p.* 359.

The reſt of the Articles, containing certain Complaints againſt the *Juſtice* of *Cheſter*, for cutting down and carrying away his Woods, where he the ſaid *Juſtice* had no Juriſdiction; or elſe as being falſly accuſed for receiving certain Thieves or Outlaws, I barely mention.

The laſt Article ſets forth, That whereas it is provided by the ſaid Peace, that all *Welſhmen* in their Cauſes ſhould be judged after the Laws of *Wales*, this was in no Point obſerved with the ſaid *David* and his People: For which Grievances, thô He had often demanded Amends from the ſaid *Juſtice*, either according to the Laws and Cuſtoms of *Wales*, or of ſpecial Favour, yet He could never obtain any Redreſs at his Hands.

The ſaid *David* further ſets forth, That He was warn'd at the King's Court, that He ſhould be taken and ſpoiled of his Caſtle of *Hope*, his Woods ſhould be cut down, and his Children taken for Pledges, as ſoon as *Reginald Gray* ſhould come from the Court. Wherefore ſeeing, notwithſtanding his faithful Serving of the King in his Wars, yet that He could obtain neither Juſtice, Amends nor Favour at his Hands, having ſuch great Wrongs offer'd unto Him, and fearing his own Life and his Children's, or elſe a perpetual Priſon, He was forced, as it were againſt his Will, to undertake this War,

Theſe Articles have very plauſible Appearances: But whether they could have been all made out, eſpecially the laſt, cannot be determined at this diſtance of time; eſpecially ſince we do not find what Anſwer was return'd to them by the Archbiſhop. But as for the ſeveral Articles of Grievances, then given in by the Men of *Roſs* and *Penlyn*, concerning ſeveral Murthers, Treſpaſſes and undue Exactions of Money upon the ſaid People; as alſo the many Injuries and Oppreſſions offer'd by the King and his Juſtices towards *Rees ap Vachan* of **Stratiwy**, and ſeveral other *Welſh* Noblemen, concerning divers Uſurpations upon their Lands, Privileges and Franchiſes, and the Diſinheriting them of their

Eſtates,

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Eſtates, contrary to the Laws and Cuſtoms of *Wales*, which they were by Vertue of the late Peace ſtill to enjoy; I only mention them, ſince they are very long: And therefore I refer the Reader to my Author Dr. *Powell*, for farther Satisfaction, if he deſire it.

The Reaſons that the *Welſh* had to begin the War.

I have only ſet down theſe Particulars, to let you ſee, That the *Welſh* had ſome (I will not ſay ſufficient) Reaſons to begin this War: For althô the Complaints of thoſe, who have taken Arms againſt their Superiors, are not to be altogether believed, yet is it not likely that a Prince and People, who had been ſo lately ſubdued, ſhould take up Arms againſt ſo powerful a Prince as the King of *England*, unleſs they had been highly provoked by the Wrongs and Oppreſſions of his Officers, and for which they could not obtain any ſufficient Redreſs or Satisfaction; and perhaps this politick Prince might order, or at leaſt permit many of theſe Oppreſſions on purpoſe, That the *Welſh* Prince and his Subjects being driven to take up Arms, He might thereby have a juſt Pretence wholly to ſubdue that Prince, and conquer his Couutry. But leaving theſe Conſiderations, as only probable, let us now return to the Hiſtory.

[4] *Id.* The Archbp. interceeds for the Pr. That the K. would admit of a Treaty with him, which is refuſed.

The [4] Archbiſhop having received theſe Articles, came to the King, and beſeeched Him to conſider theſe Wrongs, and to cauſe Amends to be made, or at leaſt excuſe the *Welſhmen*, as having ſo juſt Cauſe of Diſcontent. The King anſwered, That the *Welſhmen* were to be in part excuſed, and that He was ever ready to do Juſtice to all Men that complained. Whereupon the Archbiſhop again beſought the King, That the *Welſhmen* might have free and ſafe Acceſs to Him, to declare their Grievances, and to ſeek for Remedy. The King replied, they ſhould freely come and depart, if it ſhould appear that by Juſtice they deſerved to depart in Safety.

When the Archbiſhop had received this Anſwer, he return'd to the Prince of *Wales*, being then at *Snowdun*, that he might perſwade him and his Abettors to ſubmit themſelves, and thereby encline the King to admit them to a perſonal Treaty. When the Archbiſhop arrived, he had a long Conference with the Prince, where at laſt he gave him this final reſolute Anſwer; which, had it come from the Mouth of one ſtrong enough to make good what he ſaid, had been counted truly magnanimous and worthy a Prince: *That he was willing to ſubmit himſelf to the King, reſerving two things; the Firſt was the Conſcience or Senſe he ought to have for the Safety and well Government of his People; the Other was the Honour or* Decorum *belonging to his Dignity and Calling.* The Archbiſhop returning to the King with this Anſwer, his Reply was, *That He required, the Prince and his People ſhould abſolutely ſubmit themſelves to Him.* But the Archbiſhop knowing that the *Welſhmen* would never ſubmit themſelves upon thoſe Terms, he then requeſted the King, That He would permit him to confer with the Noblemen then at Court; and that He would follow their Advice in ſo weighty an Affair; which being agreed to by the King, the Archbiſhop and the Nobility having conſulted together, they at laſt agreed upon theſe following Articles, which the Archbiſhop ſent in his own Name to the Prince, by *John Wallenſis*, viz.

The Pr. Refuſes to ſubmit himſelf abſolutely to the King.

Articles agreed by the A. Bp. and Nobility to be Propoſed to the Pr. in order to a Peace.

Firſt, That of the Four Cantreds, and the Lands by the King given to his Nobles, and the Iſle of *Angleſey*, He will have no Treaty about them.

Alſo, *Secondly*, as to the Tenants of theſe Four Cantreds, if they will ſubmit themſelves, He purpoſeth to do as becometh a King; and we

verily

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verily believe, He will deal with them mercifully; and to that end we will endeavour, and truſt to obtain it.

Thirdly, as touching the Lord *Llewellyn*, we can have no other Anſwer, but that he ſhall ſubmit himſelf wholly to the King: And we certainly believe He will deal mercifully with him; and to that end we labour all we can, and verily have great Hopes to be heard by Him.

Theſe following Articles were to be propoſed to the Prince in Private.

[5] *Id.*

Firſt, That the Nobility of *England* have contrived this favourable Method of a Peace, that the Lord *Llewellyn* ſhould ſubmit himſelf to the King, and that he ſhould allow him an honourable maintenance of a Thouſand Pounds Sterling, with ſome County or Earldom in *England*, provided the ſaid Prince would put the King in quiet Poſſeſſion of *Snowdun*; and then the King will alſo honourably provide for the ſaid Prince's Daughter, according to her Quality and near Relation to Him.

Secondly, Alſo if it ſhall happen, That Prince *Llewellyn* * ſhould Marry another Wife, and have by her an Heir Male, they hope to intreat the King that ſuch Heir, and his Heirs, ſhall have the ſame Thouſand Pounds *per Annum*, and Country, ſettled upon him for ever.

* Note the Princeſs his Wife, the King's Coſin, was lately Dead.

Laſtly, as to the People Subject to the ſaid *Llewellyn*, the King will provide for them, as becometh their Eſtates and Condition: And to that the King is well inclin'd.

Theſe Articles are to be propoſed to David, *Brother to* Llewellyn, *in Private.*

The Articles propoſed to Prince David

Firſt, That if, for the Honour of God, he will go to the *Holy Land*, he ſhall be ſet out and maintained by the King, according to his Quality, provided he do not return, unleſs he be recalled by the King: Then follows divers Motives, why *David* and the *Welſhmen* ſhould now ſubmit, ſince a much greater Peril now hangs over them, than when he (the Archbiſhop) was with them; and though theſe Conditions may ſeem grievous, yet it is a great deal worſe to be ſubdued by Arms, whereby they and their Families may be extirpated, ſince their Danger encreaſes every day more and more; and that it is a miſerable thing to be always in War, in anguiſh of Mind and danger of Body, to live in Rancor and Malice, and to die in deadly Sin.

Laſtly, The Archbiſhop declares, That unleſs they do agree to Peace, he muſt iſſue out the Sentence of *Excommunication* againſt them; whereas if they will agree, they ſhall find Grace and Mercy. Then concludes with

Pray ſend us your Anſwer in Writing.

When Prince *Llewellyn* had received theſe Propoſals, he returned his Anſwer in Writing, together with the following Letter in Latin, which was thus directed;

To the moſt Reverend Father in Chriſt, *the Lord* John, *by God's Grace Archbiſhop of* Canterbury, *and Primate of all* England, *his obedient Son* Llewellyn, *Prince of* Wales *and Lord of* Snowdun, *ſendeth Greeting.*

'Moſt heartily with all Reverence and Honour, we are content and 'ready, Holy Father, as you have councelled us, to ſubmit our 'ſelves unto the King's Grace, provided it be in that Form, that ſhall

'be

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‘ be ſafe and honourable for us; But becauſe that Form of Submiſſion, ‘ contained in the Articles which were ſent us, is neither ſafe nor honourable; and, as we and our Council do ſuppoſe, tends rather to the Deſtruction of us and our People, than any Security or fair Dealing; we ‘ may in no wiſe yield our Aſſent unto it: And if we ſhould ſo do, our ‘ Nobles and People would not agree to the ſame, knowing the Miſchief ‘ and Inconveniency that is like to enſue thereof. Nevertheleſs, we beſeech your Holy Fatherhood, That for the perfecting of an honourable and firm Peace, (for which you have taken ſo great pains, and do ‘ ſtill circumſpectly provide) you would conſider the following Articles, ‘ which we now ſend unto you in Writing; ſince it is more Honourable ‘ for the King, and more agreeable to Reaſon, that we ſhould hold our ‘ Lands in the Country where we dwell, than that we ſhould be diſinherited, and our Lands given to Strangers. Dated at *Garth-Celyn.*

After this follow, the Anſwers of the *Welſh* Noblemen on the behalf of their Prince.

The Anſwers of the *Welſh* Noblemen to theſe Articles on their Prince's behalf.

The ſubſtance of which is, That though the King will not allow to have any Treaty concerning the Four *Cantreds*, which He had given his Nobles, nor about the Iſle of *Angleſey*, being already Conquer'd; yet the Prince's Council will not agree to a Peace, unleſs a Treaty may be had about them, ſince they had belonged to the Princes of *Wales*, from the time of *Camber* the Son of *Brutus*, and had been alſo confirm'd to the Prince, by *Ottobon* the Pope's Legate, with the conſent of this King and his Father.

Secondly, all the Tenants of theſe Cantreds do affirm, That they dare not ſubmit themſelves to the King's Pleaſure.

Firſt, Becauſe He hath obſerved no Grant, Covenant or Oath, which He hath ever made to the Prince and his People.

Secondly, The King's Men do cruelly Tyranize over the Church and Church-men.

Thirdly, That they (the *Welſh men*) are not bound to any ſuch Matter, ſeeing they are the Prince's Tenants, who are ready to do the accuſtomed Service, and to obey the King, with and by the ſaid Service.

Fourthly, As to what is required, That the Prince ſhould ſimply ſubmit himſelf to the King's Will, it is anſwered, That ſince none of us ſingle dare come to the King, for the Cauſes aforeſaid; we being all together will not ſuffer our Prince to come to Him in that manner.

Fifthly, Alſo ſuppoſing the Great Men of *England* would procure a Proviſion of a Thouſand Pounds a Year for the Prince in *England*; it may be anſwered, That ſuch Proviſion is not to be accepted, for that it is promoted by thoſe, who go about to diſinherit the Prince to have his Lands in *Wales*.

Sixthly, The Prince ought not to reſign his Inheritance in *Wales*, which he and his Predeceſſors have enjoyed ſince the time of *Brutus*, and take Lands in *England*, where he underſtandeth neither their Language, Manners, Laws nor Cuſtoms; ſo that he may be ſoon enſnared by the *Engliſh*, his old inveterate Enemies, and thereby may loſe the Lands in *England*: For ſeeing the King goeth about to deprive him of his antient Inheritance, it is not likely He would ſuffer him long to poſſeſs any Lands in *England*, where he claimeth no ſuch Right, *&c.*

Seventhly,

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Seventhly, As to the King's Demand of the Delivery of *Snowdun*, it may be anſwered, that ſeeing that Place is one of the Chief Appurtenances of the Principality of *Wales*, which the Prince and his Predeceſſors have held ever ſince the time of *Brute* (as is before ſaid) his Council will not ſuffer him to renounce that Place, and to take another leſs due unto him.

Laſtly, the People of *Snowdun* ſay, ‘That although the Prince would give the King poſſeſſion of it, yet they would never do Homage to Strangers, of whoſe Tongue, Manners and Laws, they are utterly ignorant; for by that means they ſhould for ever be delivered up Captives, and as cruelly handled as the Four *Cantreds* have been by the King's Bayliffs and other Officers, as will appear by that Liſt of their Grievances, which had been already preſented to the Archbiſhop.

Id. p. 370.

The Anſwers of *David*, Brother to the Prince, were to this effect, which I ſhall abridge, as not now being very material. In the *Firſt* place he declares, ‘That when he is diſpos'd to viſit the *Holy Land*, he ‘will do it voluntarily for God's ſake, and not by Compulſion; for he ‘knows that ſuch a forced Pilgrimage cannot be acceptable unto God: ‘And then, *Secondly*, proceeds thus, That ſince neither the Prince, nor his ‘People have undertaken this War for Gain, or to invade other Men's ‘Properties, but purely for Defence of their own Lands, Laws, and ‘Liberties, whilſt that the King and his People, out of Covetouſneſs to ‘get our Lands, have made this War; therefore, ſeeing our Self-defence ‘is juſt and lawful, we truſt that God will help us, and turn his Revenge ‘upon the Deſtroyers of Churches, who have not only burnt them, but ‘have alſo killed the Prieſts, and prophaned the Sacraments and all ‘things Sacred, beſides the killing of the Weak and Impotent, and even ‘Women with their Children ſucking at their Breaſts. And therefore ‘(ſays he) God forbid, that you, the Archbiſhop, ſhould fulminate your ‘*Excommunication* againſt any, but ſuch as have done theſe things; ſo ‘that we who have ſuffer'd them ought rather to hope for ſome ‘Remedy and Comfort at your hands. And though it be hard to live ‘in War and Danger, yet it is much more ſevere and unjuſt, (eſpecially ‘for *Chriſtians*) to be utterly deſtroyed and brought to nothing, ſince ‘we only deſire to defend our Own, being by neceſſity driven thereunto, and by the greedy Ambition of our Enemies.

‘And ſince your Grace, (*viz.* the Archbiſhop) hath told us, That ‘you would fulminate your *Sentence* againſt all that for Hatred or Gain ‘endeavour to hinder Peace; Now it evidently appears, *who they ‘are that make War upon theſe motives; whereas on our ſide, the fear ‘of Death and perpetual Impriſonment, together with the conſtant ‘Breach of all Promiſes, Grants and Charters, and in ſhort a moſt ‘Tyrannical Dominion, have and do compel *Us to make War: All ‘which we ſolemnly declare before God and your Lordſhip, humbly imploring your Godly and Charitable Help, to remedy theſe Miſchiefs. And then concludes with their earneſt Prayers, That he (the Archbiſhop) would do his utmoſt endeavour to procure this great end.

*Meaning, I ſuppoſe, King *Edward* and the *Engliſh*.

**I. e.* the *Welſh* Prince and his Subjects.

Thus far, out of the Records of the ſaid Archbiſhop, faithfully Tranſcribed by Dr. *Powel*, in whom the Reader may find theſe things ſet down at large, if he thinks it worth while to peruſe them: But I have thought fit to recite theſe, that I may not be thought partial

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to our own Nation; a Fault which, I confeſs, moſt of our *Engliſh* Hiſtorians are too apt to fall into. But to return to the matter in hand.

Id. p. 371.
[1]
[2]
Ant. Brit. p. 198.

When the Archbiſhop could by no means perſwade the Prince and his Accomplices to agree to the Terms of Peace abovemention'd, ſo ſoon as he came to *Oxford*, he, at the King's Requeſt, declared them all *Excommunicated* which the Prince and his Party, being hitherto puffed up with Succeſs, did not much regard. It ſeems that during this Treaty there was a Ceſſation of Arms; for we find nothing further done this Year, ſince the raiſing of the Siege of *Rothlan* Caſtle.

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[3]
Annal. Wig. in Ang. Sacra. Tom. I.
The King goes down to *Worceſter*, in order to renew the War, againſt *Wales*.
[4]
T. W.
He comes to *Rothlan* Caſtle, and thence iſſues two extraordinary Writs.
Camp. Hiſt. 2d Vol. *p.* 7.
Rot. Wal. 11. *Ed.* 1. *M.* 4. *Dorſ. N.* 1.

But in the beginning of the Year following, the King, finding all hopes of Accomodation grown deſperate, reſolved to proſecute the War with the utmoſt vigour; and to this end He came on *Chriſtmas-Eve* to the City of *Worceſter*, and there kept that Feſtival; but was in ſuch haſt, that, the day after, He went from thence to the Abbey of *Kemſey*, and perſued his Expedition with various Succeſs all the Summer following. For [4] my Author relates, That this Year the King loſt no leſs then Fourteen Enſigns, beſides the Lords *Audley* and *Roger Clifford* the younger, with ſeveral others of Note; ſo that He was fain to retire to the Caſtle of *Hope* for His own Security: And indeed He was ſo hard put to it by the *Welſh* Prince, that in *Autumn* following, being again return'd to the Caſtle of *Rothlan*, He from thence iſſued out Writs for holding two extraordinary great Councils; as alſo two Synods of the Clergy, both in the South and North of *England*, which was never known before, and ſuits not with our manner of holding Parliaments at this day. A Copy of which Writs I ſhall here give you at large, according to Dr. *Brady*'s Tranſlation of them.

The King to the Sheriff of Norfolk *and* Suffolk, *greeting. Whereas* Llewellyn, *the Son of* Griffin, *and other* Welſhmen, *his Accomplices, our Enemies and Rebels, have ſo often in the times of Us and our Progenitors, diſturbed the Peace of* England, *and do ſtill continue in the ſame Courſe; and for that by the Advice of our Great Men, and the whole Community of the Land, We propound finally to repreſs their Rebellion and Inſtability, ſo as it ſhall not be in their Power to diſturb the Peace of the Nation when they pleaſe, although that it ſeems to be a very great Charge, and a moſt difficult undertaking: We therefore command, that you cauſe to come before Us on the Octaves of* St. Hillary (i. e. January *the* 20*th*) *at* Northampton, *or before our Commiſſioners, all thoſe of your Bayliwick that have* 20 *l. a Year, and upwards, who are able and fit to bear Arms, and who are not at preſent with Us in our Expedition againſt the* Welſh, *and Four Knights of each County, for the Community of the ſame Counties, having full Power from them; and alſo of every City, Burgh, and Mercate Town, two Men for the Commons of the ſame, to hear and do things which on our behalf we ſhall cauſe to be ſhewn unto them,* &c. *Witneſs the King at* Rothlan, the Four and twentieth day of * *November*, in the Eleventh Year of His Reign. The like Precept was ſent to the Sheriffs of all Counties in *England*, to cauſe to meet, *&c.* at *Northampton*, except to the Sheriffs of *Yorkſhire*, *Cumberland*, *Weſtmorland*, *Northumberland* and *Lancaſhire*, who were by like Writs commanded to cauſe Orders of Men to meet at *York*.

The

* Note this was in *Novem.* 1282, and not in 1283, as Dr. *B.* p. 10. ſuppoſes it, for the 11th Year of this King is to be reckon'd from the 16th of *Novem.* 1272, from which to *Novem.* 1282. though there were but 10 Years Compleat, yet the King did from that day Commence the 11th Year of His Reign; though the Year of Our Lord was not then begun.

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The like Precept was ſent to the Archbiſhop of *Canterbury*, to call all his Suffragans, Abbots, Priors, and other Governours of Religious Houſes, with the Procurators of Deans and Chapters of Collegiate Churches, to come before the King or His Commiſſioners, at the ſame time and Place, to hear and to do as before, and further to give their Counſel and Aſſiſtance happily to finiſh what he had begun to the Praiſe and Honour of God, and to the perpetual Peace and Tranquility of the whole Kingdom. This was Witneſſed as before.

The like Precept is ſent to the Archbiſhop, for the Clergy to appear before the King's Commiſſioners.

The like * was alſo directed to the Archbiſhop of *York*, and to the Biſhops, Abbots, Priors, Deans, *&c.* and their Proctors, for the meeting of the Clergy of that Province at † *York*. It is evident from this Record, that theſe Aſſemblies were not Parliaments, but only ſeparate Colloquies or Treaties of the Clergy and Laity of both theſe Provinces, about giving further voluntary Aſſiſtance towards his War againſt *Wales*; but whether thoſe of the Laity then contributed any thing, I cannot find; tho' perhaps their Grants, being never Recorded, are loſt: But it is evident, that no Earls nor Barons were preſent at theſe Meetings, nor ever Received any Summons to be there; for moſt of them, as alſo the other *Tenants in Capite*, were ſtill attending upon the King in *Wales*, as the Writ ſeems to imply. I find nothing elſe done in Relation to the *Welſh* War, only that the King ſtill continued at *Rothlan* Caſtle, and other Places in *Wales* the remaining part of this Winter: But before theſe Councils or Synods could meet, the War was in a manner ended, though the King at firſt met with ill Succeſs; for [5] He having now rais'd a great Army, marched with it from *Rothlan* Caſtle towards the Iſle of *Angleſey*; in order to which, He built a large Bridge of Boats for the Tranſportation of His Army over the River *Conway*, and thereby poſſeſſed himſelf of that part of the Country toward the Sea-ſide, not being able to paſs further into the Mountainous parts of *Carnarvanſhire*, which (was then called *Snowdun*.) Whilſt the King remain'd ſtill at *Conway*, He thought it ſafeſt firſt to ſubdue the Iſle of *Angleſey*, to which end He ſent over by the Ships of the Cinque-Ports part of his Army by Sea, which, together with the Mariners Landing upon the Iſland, ſoon reduced it to his obedience, many of the Chiefeſt Men thereof Declaring for Him. [1] This being perfom'd, the next buſineſs was to tranſport this Army into the Continent, over the narroweſt part of the River *Menay*, oppoſite to *Bangor*, over which was then begun to be laid a Bridge of Boats or large Veſſels, ſo that ſome part of the Army would needs paſs over before it was quite finiſhed, to ſhew their valour againſt the *Welſhmen*, and to reap the Greater Honour, (being about 300 Men at Arms, under the Conduct of the Lord *William Latimer* and *Lucas de Thony*, Commander of the *Gaſcoigne* Forces) which the *Welſh* permitted them quietly to do. [2] But ſo ſoon as the Tide came in, and had flow'd up beyond that end of the Bridge which lay towards the Continent, ſo that they could not eaſily return, the *Welſh* taking hold of this Advantage, came running down from the Mountains with great Shouts and Clamours, and falling upon thoſe that were already paſt over, put them to flight; but they endeavouring to regain the Bridge, were either killed or drowned in the River; for the Water was ſo high, that they could not reach the Bridge; [3] only the Lord *William Latimer* eſcaped, whoſe Horſe being very ſtout, carried him through it

* *Rot. Wal. Mem. eadem.*

The like Writ ſent to the Archbiſhop of *York*.

† Note in both theſe Writs to the Archbiſhops, there was a Clauſe impowering them to Demand an Aid of the Clergy of their Reſpective Provinces.

[5] *M. W. Chron. Annal. Wigorn.*

The King raiſes an Army, and Marches with it towards the Iſle of *Angleſey*.

Id. T. W.

[1] *Chron. Abing. Annal. Wigorn. in Ang. Sacra*, 2d Vol.

[2] Dr. Ps. *Chron. ib.*

Near which He receives a great Defeat and many Noblemen, and Perſons of Quality are ſlain or drowned.

[3] *Id. ib.*

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[4] *An. Wig. ib.*

ſo [4] that there were ſlain and drowned at this time no leſs than 15 Knights and 32 Eſquires, and about 1000 Common Soldiers: The Chiefeſt among the Gentlemen were *Lucas de Thony* abovemention'd, and two Brothers of *Robert Burnel*, Biſhop of *Bath* and *Wells*, the then Chancellor. This Defeat happened on the Sixth day of *November*; upon which the *Engliſh* were ſo much diſhearten'd, that they neither finiſhed this Bridge, nor yet proceeded farther againſt the *Welſh* on that ſide, till after the Death of Prince *Llewellyn*.

[5] *Contin.* of *Engliſh Hiſt. p.* 9.

That this Defeat did not happen at the River *Conway*, as divers Writers ſuppoſe.

I cannot but obſerve a miſtake that [5] Dr. *Brady* hath committed in the Account of this Action, being led into it by his Author *Matthew* of *Weſtminſter*; who indeed ſays, That the King having built a Bridge over the River *Conway*, &c. many Noble Perſons of the King's Army who went over it, paſſing out of *Angleſey* to view and obſerve the Country, were ſo affright'ned with the Multitude and Clamours of the *Welſh* coming upon them, that haſtening to return from whence they came, they were drowned in their Retreat: Which could not be at that Place; for had the Dr. but conſulted his Map of *Wales*, he would have found that the River *Conway* (on which the Town of *Aberconway* ſtands) and the River *Menay*, (which parts *Angleſey* from *Carnarvan*-ſhire) are two different Rivers, above 10 Miles aſunder; and therefore it was impoſſible for any body to paſs immediately from *Angleſey* by a Bridge laid over the River *Conway*; and the Annals of *Worceſter* call it expreſly the Bridge of *Angleſey*, where the *Engliſh* received this defeat; but indeed divers of our Monkiſh Writers of this War, being ignorant of the true Situation of the Country, relate theſe Actions ſo confuſedly, that it is neceſſary to conſult more than one of them to diſcover the Truth.

[1] *T. Wal.*

The Earl of *Glocеſter*'s Succeſſes in *South-Wales*, as alſo thoſe of the *Welſh* Prince.

To return to the Hiſtory; [1] In the mean time the Earl of *Gloceſter* commanded another Army in *South-Wales*, where taking much Booty, he at laſt fought with the *Welſhmen* near *Lhandilo Vawr*, and gave them a Defeat: Yet on the King's ſide, Young *William* de *Valence*, His Couſin *German*, and five Knights more were ſlain. However, after the Earl's Departure, the Prince deſtroyed the Country of *Caerdigan*, and all the Lands of *Rees ap Meredyth*, who Served the King in theſe Wars.

Who is thereby encouraged to leave the Mountains, and march down with his Men into the Valleys.

[2] *Ant. Brit. p.* 286.

[3] *M. W. T. W. Chron. Abing.*

Theſe Succeſſes ſo far encouraged Prince *Llewellyn*, and the *Welſhmen* of his Party, and eſpecially the late Accident at the Bridge, that looking upon it as little leſs than a Miracle, they preſſed their Prince to act like a Man of Courage, [2] ſince it would not be long e're (according to *Merlin*'s Propheſy (which ſome *Welſh* Fortune-tellers applied to him) *That he ſhould wear the Crown of* BRUTE, That is, obtain the ſupreme Dominion over all *Britain*. Whereupon the Prince leaving his Brother *David* to defend the Mountains, deſcended with his Army into the Valleys, to confirm and ſecure the Inhabitants of thoſe Parts in their former Allegiance to him; but not daring to encounter the King's Forces in *North Wales*, he marched from *Snowdon* into the *Cantred* of *Buelt*, which lay in *Radnor*-ſhire, hoping there to make War againſt the King by Diverſion in his own Territories: And when he had paſſed the River *Wye*, his Men chanced to meet with the Lord *Edmund Mortimer* and *John Gifford*, who marching that way with a great number of Soldiers, fell upon the Prince's Forces, and routed them, and preſently after ſlew the Prince himſelf, not knowing who he was: The manner of whoſe Death I ſhall give

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you more at large, from the Chronicle of *Abingdon*, and that of *Wales*, who relate it thus, *viz.* That the Prince having parted from his Army, went aſide into a certain Valley, attended but by one Eſquire, to diſcourſe with certain Lords of that Country, that had promiſed to meet him privately there, whilſt in the mean time his Forces, which he had left to ſecure the Bridge of *Orewyn*, were routed by the Lords Men abovementioned, though his Soldiers, who were ordered by him to keep that Paſs over *Wye*, called *Pont-Orewyn*, valiantly defended it againſt the *Engliſh*; yet when a certain *Welſhman* ſhewed them a Ford a little lower, over which a Party of them eaſily paſſing, fell upon the backs of the Prince's Men, that defended the Bridge, and beat them from it; then the *Engliſh* Forces being got over, one *Adam* (or as others call him *Stephen de Francton*) happened to meet the Prince by chance, as he endeavoured to return to his Forces, and not knowing who he was, perſued him, and run him through with his Spear. So ſoon as the Skirmiſh was over and the *Welſhmen* routed, *Francton* return'd to ſtrip the Body; but when he ſaw the Face, he knew it, and cutting off his Head, ſent it to the King, being then at the Abbey of *Conway*, who immediately ordered it to be convey'd to *London*. [4] Which News was ſo gratefull to the Citizens, that they met the Meſſenger who brought the Head, and conducted it into the City in Triumph, with the ſound of Trumpets and Horns, it being carried through *Cheapſide* upon a Launce, Crown'd with a Silver Chaplet or Circle, by which was fulfilled the Prediction of a *Welſh* Fortune teller, who foretold him that his Head ſhould ride down *Cheapſide* with a Silver Crown: And when the Citizens had ſatisfied their Eyes with this ſad Spectacle, the Head of this unfortunate Prince was ſet upon the Pillory in *Cheapſide* all that day, for all Perſons to behold it. [5] It was then ſet up on the Tower, firſt Crown'd with Ivy; which was done (I ſuppoſe) to rediculе the above-mention'd Propheſy, of this Prince's being to be Crown'd with the Crown of *Brutus*.

* Where he is ſurprized and kill'd by the Lord *Mortimer*'s Men, with the Manner of it.

[4] *Chron. Norwic. MS. in Bib. Cotton.*

His Head carri'd to *London* in Triumph, and ſet upon the *Tower*. *Chron. Abing.*

[5] *M. W.*

Such was the Fate of this inconſtant Prince, who was ſlain near *Landweyr* in *Buelt* on the Eleventh of *December*, being the laſt of the *Britiſh* Blood that enjoyed the Principality of *Wales*, which for many Generations had continued in this Family, and was certainly one of the moſt Antient and Noble in *Europe*.

Before I conclude this Year, I cannot but take notice of that notable Revolution that happened in the Kingdoms of *Naples* and *Sicily*, about the latter end of which the [1] *French* were cruely Maſſacred, Men, Women and Children, all in one Evening, preſently after the Bells had rung to Veſpers, which was the Signal given for this bloody Execution. This was done by the Means and Contrivance of a *Sicilian* Gentleman, call'd *John de Prochita*, who came thither from *Conſtantinople* in the Habit of a Monk, to carry on the Intereſt of *Peter* King of *Arragon*, who laid Claim to that Crown in Right of his Wife; and who, [2] not long after the Blow given, arrived there with a Powerful Fleet, and driving out *Charles* of *Anjou*, then King thereof, made him retire into *France*; whereupon Pope *Martin* ſiding with the expell'd Prince, *Excommunicated Peter* and all his Adherents, and declared him deprived of the Kingdom of *Arragon*, which the Pope then conferr'd on *Charles* Son to the *French* King, though this Donation never took effect; but we may obſerve from this Tranſaction, that when once a conquering

Nation,

[1] *Mezeray ad hunc Ann.*

The Maſſacre of the *French* in *Sicily*, and the great Revolution that happen'd thereupon.

[2] *T. W.*

Nation, by its Inſolent Carriage and Oppreſſion, becomes generally odious to the People, they will run any hazard to caſt off ſuch a Yoke. But to return to *England*;

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[3] *M. W.* After the Death of the Prince, the *Welſh* are wholly ſubdued.

King *Edward* continued ſtill in *Wales*, reducing the Country to His Obedience, which He was not long about; for [3] ſo ſoon as the Death of Prince *Llewellyn* came to be publickly known, the *Welſh* utterly diſpirited at the loſs, made no conſiderable Reſiſtance againſt the King's Forces in *Angleſey*; ſo that the *Engliſh* had now leaſure to finiſh their Bridge over the River *Menay*, and the King being come to His Army in *Angleſey*, eaſily paſſed over it into that Mountainous part of *North-Wales*, then called *Snowdun*; for Prince David not daring longer to defend it, quitted it and retired; and the Caſtle of that Name too was ſoon after Surrendred, with ſome other fortified Places in thoſe Parts.

[4] *Chron. Abing.*

Thus all *Wales* was ſubdued, [4] only the ſtrong Caſtle of *Bere* ſtill held out, which yet was not long after taken by the Earl of *Pembroke*; the Gariſon Surrendring to the King's Mercy for want of Proviſions, they were Pardoned their Lives.

[5] *H. K.* Prince *David* Flies, and is taken Priſoner.

As for *David*, who [5] after the Death of his Brother took upon him the Title of Prince of *Wales*, he endeavoured all he could to renew the War, and recover his loſt Principality; but it was to little purpoſe, for his Forces being ſoon put to flight, he was fain to conceal himſelf for a time, as well as he could; but at laſt being diſcovered by ſome of his own Countrymen, whom the King had employed as Spies, he was by them taken about the end of this Summer, and then brought to Him at *Rothlan* Caſtle; But He refuſed either to ſpeak with or ſee him, though the Prince earneſtly deſired it; the reaſon of which I ſuppoſe was, leſt He ſhould have, upon the Sight of him, been moved to pardon him, for his former Services. Thus was this unfortunate Prince preſently after ſent to *Cheſter*-Caſtle to be there kept until his Condemnation and Execution, which was at *Shrewsbury* in *October* following.

And is ſent to *Cheſter* Caſtle. *C. J. Everſden.* *MS.*

[1] *Id. ib.* *C. T. Wi.* The King Summons a great Council or Parliament to *Shrewsbury*, to conſider what was to be done with him.

For [1] the King would not put ſo great a Perſon to Death by the ordinary Forms of Juſtice; but about *Michaelmas* He cauſed to be ſummoned to that Town, all the *Great and Wiſe Men* of the Kingdom, as well of the Nobility, as of the Cities and Boroughs, to a Great or General *Parliament*, to conſult what was beſt to be done with Prince *David*; which paſſage in our Author, concerning the Summons of the *Commons*, as well as of the *Lords*, to this Parliament, is confirmed by the * Writs of Summons ſtill extant upon Record: The firſt of which is to the Lords, to meet the King at *Shrewsbury* on the morrow after *Michaelmas*-day: The Second Writ is directed to the Sheriffs of every County of *England*, ‘ To cauſe to be choſen two Knights *pro Communitate ejuſdem Commitatus* (*i. e.* for the Communalty of the ſame ‘ County;) as alſo a Third Writ directed to ſeveral Cities and Boroughs: The Names of many of them are entred upon the Roll, and though all are not there expreſſed, which then ſent Members to Parliament, yet there is a void ſpace left, for the entring of them, as appears by the Roll it ſelf, which I peruſed; ſo that it ſeems they were omitted only through the careleſsneſs of the Clerks. There is alſo a Fourth Writ which is directed to the Juſtices, and others of the King's Learned Council (as it is uſed at this day:) Each of theſe Writs have the ſame Preamble, and declare the ſame Cauſe for the Summoning of this Parliament,

Rot. Wallie II *E.* I. *M.* 2. *Dors.*

The Writs of Summons for that Purpoſe.

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liament. Then after a long Account of the late War with Prince *Llewellyn*, and his Death, and the taking of *David* his Brother Priſoner, with divers ſharp Invectives againſt his Treaſon and Ingratitude, the King ſummons them to the ſaid Place to give their Advice, what they ſhall think fit to be done with the ſaid Traitor.

I have been the more particular in the Account of theſe Writs, becauſe neither Mr. *Pryn* nor Dr. *Brady* (with all their Diligence) have taken any Notice of them; And in my Introduction have given the Reaſon, why the Dr. might not think fit to mention theſe Writs, nor yet what the very Authors he hath made uſe of relate concerning this Parliament at *Shrewsbury*; in which, as moſt of our Hiſtorians inform us, *David* being Judicially Condemned for Treaſon, by the King's Court *of Peers*, (in which He Himſelf preſided) *John de Vaus*, the Lord Chief Juſtice, pronounced the Sentence, which was, That he was Firſt to be drawn, then hanged, and his Bowels being burnt, his Body was to be divided into Four Quarters, and to be ſent to Four of the Chiefeſt Cities and Towns of *England*, viz. *Briſtol*, *Northampton*, *York* and *Wincheſter*; but his Head was afterwards ſent up to *London*, to accompany that of his Brother's on the *Tower*.

The Sentence of Condemnation againſt him.

Annal. de Burton in Bib. Ben.

This is the *Firſt* Example I can meet with of this manner of *Execution* done upon Traitors, which hath been ſince commonly continued, though indeed it was too ſevere upon a Man of Prince *David*'s Character; who, notwithſtanding all the the Ingratitude laid to his Charge by the Hiſtorians and Records of that time, muſt be confeſſed to have loſt his Life in a Cauſe, that cancels all other Obligations, the *Aſſiſting his Brother and Prince, and endeavouring (though in vain) to Aſſert the Laws and Liberties of his Country.*

What may be alledged in his Defence.

I ſhall therefore paſs no further Cenſure upon the Actions either of this *David* or his Brother *Llewellyn*, ſince we are not fit Judges of thoſe Matters at ſuch a diſtance of Time; only if we might judge, by the Succeſs, it was what God had ordained ſhould come to paſs, for the Peace and happineſs both of the *Engliſh* and *Britiſh* Nations, which thereby ceaſing to make almoſt continual War upon each other, and being United at laſt by this happy Conqueſt, came by degrees to enjoy the ſame Laws and Liberties with their Conquerors.

I find no more done this Year in *Wales*, [3] but that immediately after the taking of Prince *David* Priſoner, * *Rees ap Vaghan*, a Great Nobleman of *South-Wales*, with his Accomplices, yeilded themſelves Priſoners to the Earl of *Hereford*, who at the King's Command ſent him to the *Tower* of *London* to be impriſoned. Then having commanded the Laws of *England* to be obſerved in *Wales*, and having built two ſtrong Caſtles in thoſe Parts, the One at *Aber-Conway*, and the Other at *Caernarvan*, the King paſſed through all *Wales*, and dividing much of the Conquer'd Lands among his Barons, reduced it under the Subjection of the Crown of *England*.

[3] *T. Wal.*

* *Rees ap Vaghan*, **with his Accomplices, Surrender themſelves Priſoners.**

This Year * there was given the King in a Parliament (which I ſuppoſe was held at *Acton-Burnel* in *Shropſhire*, in the Month of *October*) an Aid of a *Thirteenth* part of all Moveable Goods by the Laity, and a *Twentieth* by the Clergy, to defray the Charges of the late War againſt the *Welſh*; and then was alſo enacted the Statute of *Acton-Burnel*, the Sum of which you may find at the end of this Reign.

* *Vid. Stat. of Acton-Burnel*, 11 *Ed.* I.

A Parliament at *ActonBurnel*, and what was there done.

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The Quarrel that had like to have been between the King and the Pope, concerning the *Tenths* collected for the *Holy Land*.

[4] *Ant. Brit.* p. 200.

As for Eccleſiaſtical Affairs, I cannot but here take notice, of one thing that had like to have created a Quarrel between the King and the Pope, had not the former complied with his Demands: You are therefore to obſerve, that there had been Six Years Tenths Collected from the Clergy, and laid up in ſeveral Monaſteries to carry on the War in the *Holy Land*, according to a Canon of the late Council of *Lyons*, by vertue of which, [4] the laſt Year *Martin* the *Fourth*, being newly made Pope, demanded this Money of the King, intending to diſpoſe of it himſelf, and for that end ſent over two Preaching Fryers into *England*, for the exportation and return thereof, by his Agents and Foreign Merchants.

*Clauſ. 10 E. I. M. 5. And the Proceedings in that Affair.

But I muſt farther inform you, That at the ſame time that theſe Fryers came to demand this Money, *they brought alſo Letters from the Pope to the King, exhorting Him to reſume the *Croſs*, and to aſſign the time of the General Paſſage of the *Chriſtians* of all Nations into the *Holy Land*; and earneſtly preſſed the King for an Anſwer; who only wrote back by them to this purpoſe, That his *Holineſs* ſhould receive an Anſwer by Meſſengers of His Own. This was dated at *Cheſter* the Tenth of *June*, when the King was in his March againſt the *Welſh*.

*Claus. 11 E. I. M. 7.

It alſo farther appears by a *Bull of the Popes, on the Rolls of this Year, That the King had actually ſent two Clergymen there named, as Envoys to his Holineſs; and by theſe He deſired that the *Tenths* lately Collected might be Aſſigned to his Brother Earl *Edmund*, who was ready to undertake the *Croſs*, for the Succour of the *Holy Land*, at the time of the General Paſſage thither.

[5] *Ibid.* The Pope moves the King again to go to the *Holy Land*.

Inſtead of anſwering this reaſonable [5] Requeſt, the Pope by his Bull utterly refuſed to grant it, but giving the King and His Brother many fine Words, moved them to go in their own Perſons (as he ſuppoſed) for the Glory of God and their own Honour. This Bull is dated at *Orvieto*, in the Second Year of his Pontificate.

*Clauſ. 10 E. I. M. 4 *intus*. The King by his Writ prohibits the Money Collected for theſe *Tenths*, to be carried beyond-Sea.

† Nº 8.

But the King had then too much Work upon His Hands at Home, and was ſufficiently tired with His former Expedition to the *Holy Land*, to go thither any more; neither did He think it convenient to let ſo great a Sum of Money be carried out of the Nation in *Specie*, having alſo lately had an occaſion to borrow ſome of it towards His Wars in *Wales*: Wherefore He preſently iſſued out his *Writs to His Brother *Edmund*, Earl of *Cornwall*, commanding him to call before him the Merchants of *London*, and order them not to tranſport, nor permit to be tranſported any of this Money ariſing from the ſaid *Tenths*; and that if the Earl found any Merchant ſo doing, he ſhould cauſe him to be Arreſted, together with the Money. This bears Date the Four and twentieth of *May*, in the *Tenth* Year of the King's Reign, being the Year before; and Dr. *Brady* hath given us a Copy of it in his † *Appendix*, to which I refer the Reader for further Satisfaction. The like Writs were ſent to the Mayor and Sheriffs, and to the Warden of the Cinque-Ports.

*Rot. Cl. 11 Ed. 1. M. 7. *Dorſ.* de Decima.

[1] * *Vid. Regiſt. Pecham.* f. 66.

The King alſo ſent his Commiſſioners to certain Monaſteries where this Money was kept, to take an Account how much it was; but ſome of the Priors refuſing the King's Officers Admittance for that purpoſe, they were for this Contempt Cited by the Sheriffs to give an Account thereof themſelves before the King: But it ſeems it did not reſt here; for as it appears by the Relation in the [1] Pope's *Letter, or Bull, to the

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And ſeizes the ſame to his own uſe; upon which the Pope wrote an angry Letter to the Archbiſhop.

' the Archbiſhop of *Canterbury*, concerning the King's detaining theſe *Tenths*, He is alſo charged with breaking open the Locks and Seals of the Places where this Money was kept, and removing of it whither He pleaſed, '*To the Great Offence of God, and High Contempt of the Apoſtolick See*; whereas he ought not to have done it without his *Holineſs*'s Leave, having ſent (as 'tis there ſaid) frivolous Letters in Excuſe: And in this Bull or Letter, he alſo Commands the Archbiſhop, by vertue of his Obedience, to go to the King, and Admoniſh Him on his Behalf, to reſtore the Money to the Places from whence it was taken, without any Defalcation, within the ſpace of a Month; and likewiſe he enjoyned the Archbiſhop to give him (the Pope) an Account what he did in this Affair, and what the King's Anſwer was. This Letter bears date at *Viterbo*, the Fifth of *July* this Year.

[2] *Id. ib.* The Archbiſhop's Anſwer to it.

[2] But from the Archbiſhop's Reply to this Letter, we may diſcover the farther Proceedings, as alſo the Concluſion of this troubleſome Affair: For in the firſt Place he ſets forth, That he had Warned the King not only to reſtore the Money of theſe *Tenths*, but alſo to forbear all ſuch Actions for the future, leſt He ſhould fall under his Holineſs's Correction; and then that He ſhould not trouble, nor proſecute thoſe that had the ſaid Money in their Cuſtody; and laſtly aſſures the Pope, That the King having patiently heard all theſe Admonitions, and deliberated with thoſe about Him, anſwered thus;

[3] *Id. ib.*

[3] ' That as to the firſt Point in the Pope's Letter, there was no Neceſſity of his ſending any ſuch Letters, nor from the Archbiſhop to him in this Caſe, whenas Two Months ſince He had Commanded the ſaid Money to be reſtored.

' To the Second, That He never intended any unjuſt things againſt the Church.

' To the Third, He wondered why it ſhould be required of Him, not to moleſt the Guardians of this Money, ſince it was never his purpoſe to Diſturb any Innocent Perſon, that had been concern'd about it.

When the Archbiſhop ſent this Account of his Proceedings to the Pope, he alſo advertiſed him, That it was affirm'd by ſuch Teſtimony as ought to be believed, that the King had reſtored all the Money; but of that he could not write him the preciſe Truth, without firſt conſulting thoſe that knew the Weight, Number, and Value of it. This Anſwer of the Archbiſhop's is dated the Nine and twentieth of *November*, being not long after the King's Summons to the late Meeting at *Northampton*. Dr. *Brady* hath been ſomewhat more large in this Relation, which is to be found in the Records; but what is here, is ſufficient to ſhew us the ſervile Submiſſion our King's were forced to pay to the Pope or Biſhop of *Rome* in thoſe Times.

[4] *T. W. H.* *Charles* King of *Naples* recovers that Kingdom from King *Peter* of *Arragon*, who takes his Son Priſoner.

[4] As to Foreign Affairs; *Charles* late King of *Naples* and *Sicily*, formerly expell'd by the King of *Arragon*, having again return'd into that Kingdom with a powerful Army, had made himſelf Maſter of *Naples* and *Apulia*; whereupon the *Sicilians*, under the Conduct of *Peter* of *Arragon* their then King, came before that City with Twenty ſeven armed Galleys, againſt whom *Charles* Prince of *Achaia*, eldeſt Son to King *Charles*, ſail'd out with a great number of Galleys to Fight them, but with ill Succeſs; for his Veſſels being worſted, and the day loſt,

he was himſelf taken, and carried away Priſoner to *Meſſina*, from whence he was not long after removed into *Spain*.

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[5] King *Edward* goes into South *Wales* to ſettle that Country.

In the beginning of this Year, [5] the King leaving North-*Wales*, took a Progreſs into *Glamorganſhire*, to ſettle and view thoſe Parts; where being nobly received by the Earl of *Gloceſter*, then Lord of that Country, at his own Expence, He was from thence Conducted by him as far as *Briſtol*, where, and in *Wales*, He continued all the reſt of that Year: Beſides this, I find little elſe remarkable to have happened, only that the [1] Queen remaining ſtill at *Caernarvan*, and being great with Child, was there brought to Bed of a Young Prince upon St. *Mark*'s day, (or Six and Twentieth of *April*) who, from the Place of his Birth, is called by our Hiſtorians *Edward* of *Caernarvan*, and ſucceeded his Father. But the Joy at his Birth was juſtly allay'd by the Death of Prince *Alphonſus*, the King's Eldeſt Son, ſoon after, who being a Youth of great hopes, and of about twelve Years of Age, deceaſed at *Windſor* on the Nineteenth of *Auguſt* following. [2] Alſo in the begining of this Month, many Earls, Barons and Noblemen of *England*, as well as from Foreign Parts, held a great Tourneament (which they call'd of the Round Table) at *Newbin* near *Snowdun* in *Wales*, as a Triumph for the Conqueſt of that Country.

[1] *Id. Ib.* The Queen in the mean while is brought to Bed of a young Prince at *Caernarvan*.

[2] *Id.* A great Tourneament in *Wales*.

[3] *Mezeray ad hunc An.*

In Foreign Parts I find nothing worth noting, only [3] *Charles* late King of *Naples* and *Sicily* deceaſed in *Italy*, without ever recovering his loſt Dominions, of all which *Robert* Count of *Artois* was appointed Protector by the Pope, during the Captivity of *Charles* Sirnamed the *Lame*, Eldeſt Son to the Deceaſed, on whom that Right devolved upon his Death; yet he remain'd ſome Years after a Priſoner to the King of *Aragon*, till he was reſtored to his Liberty by the Mediation of King *Edward*, as you will find in due time.

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[4] *T.W. A.W.* The King kept his Criſtmas at *Briſtol* with great Solemnity.

We ſhall now return to *England*; where Peace being thus happily Eſtabliſhed by the Conqueſt of *Wales*, the King had little elſe to do than to enjoy the Benefit of it: Yet the better to ſettle his Affairs in thoſe Parts, [4] He kept his Chriſtmas at *Briſtol* with great Solemnity, no King before Him having done the like; here He alſo held a great Council with his Peers and Lords, which being ended, He returned in haſt to *London*, having been abſent from thence near three Years, and was there received with great Acclamations, thô He did not ſtay long there, being Summoned by the King of *France* to come over and ſerve him againſt the King of *Arragon* (with whom he was then in War) and that by vertue of his Tenure of the Dutchy of *Guienne*.

[5] *Id.* And being about to paſs over into *France*, his Journey is Stopt.

But though the King then intended to have gone over into *France* for that Purpoſe, [5] yet He went no farther than *Canterbury*; for there hearing of the Sickneſs of the Qneen his Mother, He returned and waited on her at *Ambresbury*, and ſent Meſſengers to the King of *France*, to excuſe his not coming over to him.

[1] *Fabian Chron, ad hunc An.* The King ſeizes the Liberties of the City.

About this time the [1] King being highly diſpleaſed with the City of *London*, did on the 25th of *January*, ſeize all her Liberties and Franchiſes into his own hands, and diſcharging *Gregory Brooksby*, the then Mayor, put in *Stephen Sands* as *Cuſtos* or Guardian of the City, who ſo continued till the *Monday* after Candlemas; and then Sir *John Breton* had the Charge of it delivered to him for the reſt of the Year. The Cauſe of his Diſpleaſure is not there ſet down; but my Author ſays, he found, in an old Book, That it was, becauſe the late Mayor

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Mayor took Bribes from the Bakers to connive at their ſelling Bread Six or Seven Ounces too light in the Pound Loaf; which being only the Offence of one Man, ſeems too ſlight a Cauſe for ſo ſevere a Puniſhment on the whole Body; eſpecially if we conſider that the City Liberties ſtood thus ſeized, and that She had no Mayor for Twelve Years enſuing: But you are to take notice, that notwithſtanding this Seizure, yet the Politick Body or Corporation of the City was not diſſolved, as it was for certain pretended Miſdemeanors in the time of the late King *Charles* the Second; but they enjoyed all Privileges of holding Courts, &c. (the Choice of a Mayor only excepted) as they had done before the ſaid Seizure.

[2] *Id. Ib.* Merchant Strangers firſt permitted to hire Houſes in *London.*

Alſo about the ſame time, [2] we find Merchant Strangers were firſt permitted to rent Houſes, and to buy and ſell their own Commodities themſelves, without any Interruption from the Citizens; for before this, they hired Lodgings, and their Landlords were the Brokers who ſold all their Goods and Merchandize for them; though my Author obſerves, That this Liberty tended much to the Damage of the City and Kingdom, by reaſon of the Deceits theſe Foreigners uſed in putting off their bad Wares, as well as ſelling them by falſe Weights; for which, upon an Information brought againſt them by the City, their Weights were deſtroyed, and the Foreign Merchants were after a ſevere Impriſoment made to pay a thouſand Pound Fine to the King. This deſerves our Notice, becauſe it ſhews us the reſtrained manner of Commerce in thoſe days, when Strangers managed moſt of the Trade, and that the *Engliſh* Merchants brought few Foreign Commodities into this Nation.

[3] *T. W.* *Vid.* the Printed *Stat.* of *Weſtminſter* the Second. A Parliament at *Weſtminſter* with the Laws there made.

[3] Then preſently after *Eaſter* the King Summon'd a Parliament at *Weſtminſter*, where, for a further Supplement to the late Statutes of *Gloceſter*, and to remedy many Oppreſſions of the People through the Defect of good Laws, He there made thoſe memorable Laws called the Statutes of *Weſtminſter* the Second, containing Forty nine Chapters, which being very long the Reader may find the Chief Heads of them at the end of this King's Reign.

[4] *Id. Ib.* The Death of *William de Wickwaine* Archbiſhop of *York*. The Abbey Church at *Weſtminſter* finiſhed.

As for Eccleſiaſtical Affairs, *William* de *Wickwaine*, Arch-Biſhop of *York*, died this Year, and was ſucceeded by *John Romanus* (or the *Roman*) an *Italian* by Extraction, but born in *England*. Alſo the Abbey-Church of *Weſtminſter*, having been Sixty ſix Years in Building, was now Finiſhed.

[5] *Vid. Mezeray ad hunc An.*

The ill Succeſs and Death of King *Philip* of *France*.

I ſhall conclude this Year with ſome Foreign Affairs. King *Philip* abovemention'd was now unhappily engaged in a War, in the Pope's Quarrel, againſt *Peter* King of *Arragon*; whom the former having Excommunicated, beſtowed his Kingdom upon *Charles*, Second Son to King *Philip*, who thereupon marched into *Arragon* in order to Conquer it, where at firſt he met with very good Succeſs, taking *Garonde* in *Catalonia* and ſeveral other Places; but when his Fleet was beaten by the *Spaniards*, and his Army being in a Barren Country, without any Proviſions brought them by Sea, was thereby reduced to great Neceſſity, the King ſeeing He could do nothing more there, fell Sick either of the Contagion of the Air, or elſe of Diſcontent, ſo that He was forced to be carried in a Litter to *Perpignan*, where his Diſtemper daily encreaſing, either from the ill news He heard of the loſs of all thoſe Places He had lately Conquer'd, or elſe from the violent Agitation of the Journey, it coſt Him his Life the ſixth day of *October*, being not then Five

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[1] *Chron.* Laner*coſt.*

The Deceaſe of Pope *Martin* 4. who is ſucceeded by *Honorius* 4.

and Forty Years old. He was a valiant, pious and juſt Prince, but too eaſie to be impoſed upon by thoſe who had evil Deſigns upon Him, as may appear by this raſh unfortunate Expedition. His Son *Philip* Sirnamed the *Fair* ſucceeded him: And [1] Pope *Martin* IV deceaſing this Year, was ſucceeded by *Honorius* IV. who was ſo decrepit, that not being able to ſtand or Walk, he was fain to be carried in a Chair, and in that Poſture alſo Sung Maſs at his Inthronization.

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[2] *T.W. T.Wi.*

A great Council at *London*, to conſult about the Government of the Kingdom, during the King's abſence in *France.*

He goes over, and on what Occaſion.

This Year, Fifteen Days after *Eaſter*, the King held a Colloquie or General Council of all the great Men of the Kingdom, both Eccleſiaſtical and Secular, at *London*, to conſult concerning the Government of the Kingdom in his Abſence, which He was now about to leave upon this occaſion: *Philip* the preſent King of *France*, not long after his Father's Deceaſe, had ſent his Ambaſſadors to King *Edward* to come over thither, and employ his Mediation for a Peace between Himſelf and the Kings of *Caſtile* and *Arragon*; wherefore ſo ſoon as this Treaty was ended, and the King had ordain'd his Brother Earl *Edmund* Guardian of the Realm in his Abſence, in Compliance to the *French* King's Deſires, He went over into *France*, being attended by divers Biſhops and Lords of Note, and was there honourably received by the King his Coſin and his Nobles at *Amiens*; and ſome time after He had done his Homage for his Dominions in *France*, He went with King *Philip* to a Great Parliament or Aſſembly of Eſtates, which he held at *Paris*, where King *Edward* laid claim to divers Lands unjuſtly detain'd from Him, and obtained Satisfaction concerning the ſame; though this Grant of the King of *France* and his Peers did not long continue in Force, as *Nicholas Trivet* and *Thomas Walſingham* both obſerve on this Tranſaction.

The reſt of the King's Tranſactions in that Kingdom.

Yet the Annals of *Waverly* and *Matt. Weſtminſter* are more full in their Account of this Matter, and ſay, That the King being conducted to *St. Germaines* after He had ſtayed there ſome time, demanded all the Lands which his Grand-Father King *John* had loſt, and in conſideration thereof obtained ten thouſand Pounds Sterling of the King of *France*, to be Yearly kept at the Tower of *London*; together with ſome Arrears for *Normandy*, which was his Inheritance: But this, though related by our Hiſtorians, does not ſeem at all probable, ſince the King had already parted with all his Claim to *Normandy* to this King's Father and Grandfather.

[3] *Vid. Mezeray ſub hoc Anno.*

The *French* Hiſtorians differ from ours concerning them.

[3] But the *French* Hiſtorians give this quite another Face; for though they agree with the *Engliſh*, as to the Circumſtances of the King's going over, and his Reception in *France*, yet they differ about the Motives of his Voyage; for they report the pretended Cauſe of it was, to reconcile the Difference of the two Kings abovemention'd, but indeed and in truth it was to renew the former Treaties made with King *Philip*'s Predeceſſors: And as to the other Buſineſs, the *French* Writers ſay quite contrary, *viz.* That when King *Edward* preſſed that He might have ſome further Conſideration for *Normandy*, and thoſe other Countries which both his Father and Himſelf had parted with, He could obtain nothing upon thoſe Points; wherefore taking his Leave of King *Philip*, he went to *Bourdeaux*, and there in a Solemn Manner He received the Ambaſſadors of the Kings of *Arragon*, *Caſtile* and *Sicily*, all Enemies to *France*, which gave no little Umbrage and Jealouſy to that King. We find no more at preſent King *Edward* did further in *France*, but that He ſtayed there the

The King goes to *Bourdeaux*, and there receives the Ambaſſadors from ſeveral Princes.

three enſuing Years to ſettle his Affairs in *Gaſcoigne*, which had been in great Diſorder, by reaſon that ſome of the Citizens of *Bourdeaux* would have betrayed that City to the *French*; but the King upon his Arrival having cauſed the Chief of thoſe Conſpirators to be hanged, thereby Eſtabliſhed the Peace of the Province.

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In the mean time all things continued quiet in *England*, where there happened little conſiderable, [4] only Queen *Eleanor* the King's Mother, having for ſome Years before reſided in the Nunnery of *Ambreſbury*, now took upon her the habit of a Nun; yet had a Diſpenſation from the Pope to keep her *Joynture*, which was very conſiderable; and I ſuppoſe it was granted upon this Conſideration, that the Queen might thereby have the more to beſtow upon that Nunnery and other Monaſteries, which were often the Executors of dying Princes in thoſe Times.

[4] *M. W.* Queen *Eleanor* the Kings Mother dies.

As to Foreign Affairs, [5] *Alexander* the Third King of *Scots* on the Nineteenth of *March*, as he was going home to his Queen in the Night, was thrown off from his Horſe and taken up Dead, when he had Reigned Thirty Seven Yeats; whoſe untimely End was very much lamented (being but forty five Years of Age) for his Excellent Endowments both of Body and Mind: And now the Royal Line being almoſt extinct, there was like to be a Great Diſpute between ſeveral Competitors for that Kingdom; for the late King had lived to bury all his Children, Prince *Alexander* his Eldeſt Son deceaſing about three Years before his Father in the 20th Year of his Age, and *Margaret* (the laſt of them) died not long after ſhe was Married to *Eric*, King of *Norway*, by whom ſhe had only one Daughter called likewiſe *Margaret*, then but a Child, who was commonly called the Maid of *Norway*, and upon her Grandfather's Death was own'd for lawful Heireſs of that Kingdom.

[5] *Hect. Boe. h. Lib.* 13. *p.* 191. whoſe Account of the Time of this King's Death is truer than *Buchanan's*, who Places it in 1285.

The deceaſe of *Alexander* 3d King of *Scots*, leaving the Princeſs of *Norway* his Heir.

Immediately after King *Alexander's* deceaſe, the Eſtates of the Kingdom aſſembled at *Scone* to treat (as [1] *Buchanan* relates) *about the creating a new King, and ſettling the Kingdom*; which indeed was no more, but the appointing a Husband for this young Princeſs, as you will find by and by.

[1] *Rer. Scot. L.* 8. *in Init.* An Aſſembly of the Eſtates of *Scotland*, about chooſing a Huſband for their Young Queen.

The firſt thing this *Convention* did, was to appoint Six Governors, Biſhops and Earls (whoſe names I need not recite) each of whom were to preſide over their particular Provinces of the Kingdom.

And before this *Convention* of the Eſtates broke up, King *Edward*, being ſenſible that this Young Queen would be a very convenient Match for the Prince his Son, was reſolved to lay hold on this Opportunity; and [2] therefore ſent certain Ambaſſadors into *Scotland* to demand the Lady in Marriage: Theſe being admitted into the Aſſembly of the Eſtates, made them an Eloquent Speech, ſetting forth the great Advantages that might accrew to both Kingdoms by this Intermarriage. The Propoſals being thus made, the Ambaſſadors found the Eſtates not averſe from this Alliance; for King *Edward* had not long ſince ſubdued *Wales*, and was looked upon as a Prince of Great Valour and Prudence: Beſides the Young Queen was his Siſter's Daughter, and there had been a very amicable Correſpondence, maintain'd between the Two Crowns for above Seventy Years; and of the Two laſt Kings *Alexanders*, the Father had Married the Siſter, and the Son the Daughter of King *Henry* the *Third*;

[2] *M. W.* The King propoſes a Match between her and the Prince his Son.

ſo

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ſo that there never had been ſo long a Peace between theſe Kingdoms, from the time of King *William* the *Firſt*.

Theſe were the Motives that highly promoted this Treaty; which yet advanced no farther than the bare Propoſal and Acceptance, till three Years after, when it was again renewed, as you will find in due time.

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[3] Dr. P's *Chron.* *T. Wi.*

Rees ap Meredyth Rebels in *South-Wales*, and on what Occaſion.

The King being ſtill in *Gaſcoigne*, *England* does not afford us many conſiderable Actions in his Abſence; the only thing that happened worth noting was, [3] the dangerous Rebellion that *Rees ap Meredoc* (or *Meredyth*) the moſt potent Nobleman of the Blood Royal that remain'd in *South-Wales*, raiſed this Year in thoſe parts on this occaſion: He having ſerved the King in his late Wars againſt Prince *Llewellyn*, was Knighted by Him, and promiſed more Lands and Preferments; which not being made good, he was inwardly diſcontented, yet did not expreſs it till the Lord *Payne Tiptoſt*, Warden of the King's Caſtles adjoining to *Rees's*-Country, and the Lord *Adam Plucknet*, the King's *Seneſchal*, or *Steward* in *Wales*, cited the ſaid *Rees* (as they did other Gentlemen of the Country) to appear at the King's Court, which he, alledging his Antient Privileges and Liberties, refuſed to do; whereupon a great Quarrel aroſe between him and the Lords abovementioned, ſo that there were Sundry Skirmiſhes betwixt them, and many Men ſlain on both ſides, to the great Diſturbance of thoſe Parts. The King hearing of theſe things, wrote to *Rees ap Meredyth*, requiring him to keep the Peace till his Return; upon the Receipt of which Letter, *Rees* promiſed to reform and amend what he had done amiſs; but it proceeded no further then Words; for not long after, he took the Caſtles of *Dyneover* and *Llanandovery*, and burnt ſeveral Towns: Whereupon the King ordered his Brother the Earl of *Cornwal*, whom He had left his Lieutenant during his Abſence, to go with an Army into *Wales* againſt theſe Rebellious Attempts. The Earl in compliance to the King's Commands, marched into *Wales* in Perſon, and beſieged *Rees's* Chief Caſtle called *Droſlan*, and made a *Myne* under it; but the *Myners* having put very weak Props to ſupport it, the Lord *Stafford* and the Lord *William Montchenſey*, with ſeveral other Knights and Eſquires, going into the Ditch to view the *Myne*, the Caſtle-Wall fell down upon them, and bruiſed them to Death.

The Earl of *Cornwal* Marches into *Wales* with an Army: but at firſt meets with ill Succeſs.

[4] *Id. Ib.*

Rees makes ſeveral freſh Incurſions.

But though the Caſtle was after this quickly taken, yet this Succeſs ſignified little, becauſe *Rees* himſelf was not there; [4] who keeping in certain Woods encompaſſed with Bogs, from thence made Incurſions, and miſerably ſpoiled the adjacent Countries, ſo that the Earl of *Cornwal* not being ſo Effectually aſſiſted by the Earl of *Gloceſter* (the moſt powerful Nobleman of thoſe Parts) as he expected, having loſt a great many Men, and ſpent much Money in this Expedition, was fain to make a Truce with *Rees*, and then returned into *England* towards *Michaelmas*; after which about *Chriſtmas* following *Rees* again breaking the Truce, began to ſpoil the Neighbouring Country, whereupon the Lord *Robert Tiptoſt* aſſaulted and took another Caſtle of his upon the River *Tewy*, with divers other Caſtles that *Rees* had gain'd before; but not being able to take the Traytor himſelf, he ſet a Price upon his Head; whereupon finding the Country no longer ſafe for him, he fled over into *Ireland*, and continued there privately by the Connivance of the Earl of *Gloceſter* in ſome of his Territories; and ſo this Rebellion ended for that

Yet is at laſt forced to fly into *Ireland*.

that time. [5] But about Four Years after this *Rees* returning again into *Wales*, in order to make ſome freſh Diſturbance, was taken as he lay concealed among the Mountains, and being thence ſent to the King, then at *Berwick*, (or as ſome others ſay at *York*) was condemned to be Drawn Hang'd and Quartered.

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[5] *Chron. R f.* But is ſome Years after taken and Executed.

But that we may alſo obſerve what was done this Year beyond Sea, I cannot here omit a great Deliverance, [1] which King *Edward* and his Queen had in *Gaſcoigne*; for while they ſat together diſcourſing in their Bed-Chamber, a Flaſh of Lightning ſtruck in at the Window, and paſſing between them, killed two of their Servants that were then waiting in the Room, yet without any prejudice to their Royal Perſons. After this, the King hearing of the Impriſonment of his Cozen *Charles* Prince of *Achaia*, Son to *Charles* late King of *Naples*, by *Alphonſo* King of *Arragon* his Competitor, took a Journey into that Kingdom, to procure the Delivery of his Kinſman.

[1] *M. W.* The great deliverance of the King and Queen from Thunder and Lightning. *Id. Ib.*

But this could not be agreed on till the beginning of the Year following, [2] by the Mediation of the King of *England*, upon theſe Conditions; That he ſhould in the *Firſt* Place be ſet Free, and Pay the King of *Arragon* a great Sum of Money for his Ranſom; *Secondly*, That he ſhould cauſe the Count of *Valois* to renounce his Pretentions to that Kingdom; *Thirdly*, That he ſhould Inveſt *James* King of *Arragon* with the Kingdom of *Sicily*; and *Laſtly*, That he ſhould make the King of *Arragon*'s Peace with the Pope: All which if he did not perform within the Space of three Years, he was then again to deliver himſelf a Priſoner, and in the mean time to give his Three Sons, with Forty Noblemen, as Hoſtages for the true Performance of it. In the mean while King *Edward*, to accompliſh the Delivery of his Kinſman, generouſly paid the Sum of Thirty thouſand Marks for his Ranſom, and till the ſaid Prince's Sons (who had been promiſed) could arrive, the King ſent ſeveral *Engliſh* as Hoſtages for a farther Security; among whom I find (from the * Rolls in the Tower) that Sir *John de Southwell* was one, who had been ſome Years before Seneſchal of *Gaſcoigne*, and for this Service was alſo † Rewarded with the Government of *Bourdeaux*-Caſtle: He is look'd upon as Anceſtor of the Antient Family of the *Southwells*, ſometime of *Norfolk* and *Suffolk*, but now of *Ireland*; whoſe lineal Deſcendents are Sir *Robert Southwell*, at this Time Secretary of State, and Sir *Thomas Southwell*, one of the Commiſſioners of the Revenue of that Kingdom. I hope the Reader will pardon this Digreſſion, which my Eſteem for theſe two worthy Gentlemen obliges me to make. But, to return to our Hiſtory.

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[2] *T. Wal. Mezeray.* The King procures the deliverance of *Charles* Son to the King of *Naples*, and on what Conditions. Fourty Noble Men delivered as Hoſtages for the true performance of them.

* *Rot. Vaſc.* 13. *Ed.* 1. *M.* 4.

† *Eod. Rot.* 17. *Ed.* 1. *M.* 13.

After the King's Return out of *Arragon* into *Gaſcoigne*, [3] He there again undertook the *Cruſado* at the Town of *Blencford*, and then Baniſhed all the *Jews* out of his Territories in thoſe Parts.

[3] *T. W.* The King undertakes the *Cruſado*, and Baniſhes the *Jews* from his Territories in *France*.

Little happened this Year conſiderable in *England*, only a [4] certain Eſquire called *Robert Chamberlain*, with ſeveral more of his Accomplices, pretending to hold a Tourneament at the Town of *St. Botolf* (commonly called *Boſton* in *Lyncolnſhire*) but indeed with a deſign to plunder the Rich Fair that was then held, came thither, the one part of them diſguiſed in the Habit of white *Monks*, the other

[4] *Id. Ib.* *T. W.* *Robert Chamberlain* and his Accomplices Plunder the Fair at *Boſton*, and ſet the Town on Fire.

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like black *Channons*, and inſtead of Tilting, privately ſet the Town on Fire, that ſo they might in the mean time rob the Tradeſmen's Booths; which wicked Deſign they effected, and carried off a great many Rich Goods: But notwithſtanding the Townſmen's endeavours to quench the Fire, it burnt with that Violence, that it deſtroyed great part of the Town; [5] and which was much more ſtrange, this *Chamberlain* abovementioned was the only Perſon could be diſcovered to have a hand in that Wicked exploit; for which being Condemned to be Hanged, though at the Place of Execution he begged Pardon of the Merchants and Townſmen for the Injuries he had done them, yet would he never be brought to reveal his Accomplices: He was, it ſeems, a Man of ſome Subſtance, and had ſeveral Houſes of his own in that Town, in which were found after his Death, a great Share of the Booty which he and his Confederates had Stolen.

[5] *H. K. Col.* 2466.

I ſhall only farther take notice of the [1] great plenty that was this Year in *England*, Wheat being now Sold in ſome Places for Twenty-pence, and in other Places for Sixteen-pence, and in others, but for Twelve-pence the Quarter: The Ounce of Silver being then worth Twenty-pence. This I take notice of, That ſo the Reader may compare the difference of the Price of Corn this Year, when it was cheapeſt, with ſome of the following Years, when it grew ſo dear that it cauſed a Famine, and was Sold at Ten, then Fifteen, and at laſt Twenty Shillings the Buſhel; a vaſt Price in thoſe days.

[1] *T. W.* The ſtrange cheapneſs of Wheat this Year.

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Nothing conſiderable happened in *England* this Year, [2] till the King's return out of *France*, when He was Solemnly received at *London* about the middle of *Auguſt*, having been abſent from *England* Three Years and Three Months: And ſo ſoon as He return'd, to ſupply his Coffers, emptied in the laſt Voyage, He took occaſion to look into the Corruption and evil Adminiſtration of Juſtice during his Abſence; and to this end Summoning a Parliament at *Weſtminſter*, and having Proclaimed, That all thoſe who had any thing to object againſt His Juſtices, Sheriffs, and other inferior Officers, ſhould come in and be heard, they were, upon due Examination of their Extortions, then Condemned in Parliament to pay to the King as follows, *viz.*

[2] *Annal. Waver.* The King returns into *England*, after Three Years abſence in *France*.

See 1. Parl. Hist. 93.

The King Summons a Parliament, where the Corruption of his Judges and other Officers is inquired into.

Firſt, [3] Sir *Ralph Hengham*, Chief Juſtice of the Higher Bench, Seven thouſand Marks; Sir *John Loveton*, Juſtice of the Lower Bench, Three thouſand Marks; Sir *William Brompton*, Juſtice, the like Sum; Sir *Solomon Rocheſter*, Juſtice of Aſſizes, Four thouſand Marks; Sir *Richard Boyland*, Four thouſand Marks; Sir *Thomas Soddington*, Two thouſand Marks; Sir *Walter Hopton*, Two thouſand Marks: The Four laſt were Juſtices Itenerants: Sir *William Saham*, Three thouſand Marks; *Robert Lithbury*, Maſter of the Rolls, a Thouſand Marks; *Roger Leiceſter*, a Thouſand Marks; *Henry Bray*, Eſcheater, and Judge for the Jews, a Thouſand Marks: And what is more remarkable, *Adam de Stratton*, a certain Clerk of the Court, was fined no leſs then Thirty two thouſand Marks of new Money, beſides Jewels, and Silver Plate: But Sir *Thomas Wayland*, Chief Juſtice of the Common Pleas, (being found the greateſt Delinquent, and of the greateſt Subſtance) had all his Goods confiſcated to the King: [4] Nor did it at all avail him that to eſcape Puniſhment he had profeſſed himſelf a Friar Minor in the Monaſtery of *Balwell*, near St. *Edmunds-Bury*; for being fetched from thence, he was deprived of his Religious Habit, and Condemned to abjure the Realm, and

[3] *Chron. de Dunſtable MS. in Bib. Cot.* The Fines ſet upon ſeveral of the Judges for Corruption.

[4] *Chron. Ædis. Chriſti Cant. in Bib. Dom. Sim. D'ews.*

and loſt his whole Eſtate, both Real and Perſonal. Which Fines and Confiſcations being brought into his *Exchequer*, amounted to above One hundred thouſand Marks; which at the Rate (as Money goes now) comes to above Three times as much: Beſides which the King had then alſo granted Him by the Citizens and Burgeſſes a *Sixth* Part, and of the reſt of the Kingdom a *Tenth* of all their Goods. Then [5] the King made all his Juſtices to Swear, that they would receive no Bribe nor Preſent from any one, more than of Edibles, which they might take according to Law.

[5] *Id. ib.*

The King makes the Judges take an Oath not to take any Bribes.

This was a vaſt Treaſure to be gotten out of the hands of ſo few Men, which how they could amaſs together in thoſe days, when Law-Suits (eſpecially in *Weſtminſter-Hall*) had not multiplied to that degree they have done ſince, may juſtly prove a matter of Wonder, and ſhews us the great Opportunities the Judges had in thoſe Times to enrich themſelves by Bribery and Extortion; when their Power, before the Law became fixt and ſettled, was far more arbitrary than now; though they could not eaſily come off when they were once accuſed in full Parliament.

I have here taken the more notice of this, that Men may not complain of the Age in which they Live, and believe it worſe and more corrupt in every reſpect than thoſe that went before; ſince my Author ſays, *That there were not any of thoſe Judges, or Officers, though counted among the Wiſeſt and moſt knowing Men of the Kingdom, whoſe Innocence could bear a ſtrict Examination, or who could make any reaſonable Defence to thoſe many Accuſations that were then prefer'd aginſt them.*

As for Foreign Affairs, I ſhall, from the Records in the *Tower*, give you an exact Account of the Treaty that was this Year reſumed between King *Edward* and the Eſtates of *Scotland*, concerning the Marriage of Prince *Edward*, the King's eldeſt Son, to the Daughter of the King of *Norway*, then Heireſs of *Scotland*, who was at that time in *Norway* with the King her Father: This Match being agreed on by the *Scotiſh* Eſtates, the Pope's **Diſpenſation* was now procured by King *Edward*, That the Young Princes might inter-marry, although they were Couſin-*Germans*; which being obtained, King *Edward* † wrote to *Eric*, King of *Norway*, about this Affair, aſſuring him, That the Guardians, Great Men, Prelates, and the whole Community of the Kingdom of *Scotland*, had unanimouſly conſented to it: Upon which, that *King wrote to King *Edward*, and alſo ſent certain Commiſſioners named in the Record, to tranſact with Him, that by his Advice and Aſſiſtance the Young Lady, his Neice, might be obeyed as Queen and Heir of *Scotland*. Then the *King wrote to the Guardians of *Scotland*, to ſend Commiſſioners to treat with thoſe of *Norway*, about the Emendation and Peace of that Kingdom, and ordering the Eſtate of the Queen: And they ſent them accordingly, with whom he joined Commiſſioners of his Own; who all by name ſet down in this Inſtrument, met at *Saliſbury* on the Twenty ſixth of *October*, where and when it was agreed;

An Account of the Treaty of Marriage between Prince *Edward* and the young Queen of *Scotland*.

**Rot. Pat.* 17. *Ed.* 1. *M.* 3. *Cedula juti de Facto Norwegia.*

† *Ib. M.* 4. *in Cedula.*

**Ib. M.* 3. 4.

* *Ibm.*

Firſt, That this Young Queen ſhould come into *England*, or *Scotland*, before the Feaſt of *All-Saints* next coming, if ſhe had no reaſonable Excuſe, free from any Contract of Mariage or Eſpouſal; for which the Commiſſioners of *Norway* did undertake.

† *Ibm.*

The Conditions on which it was agreed.

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Secondly, That if ſhe came into *England*, King *Edward* engaged, that when *Scotland* was ſettled in Peace and Quiet, that ſhe might ſafely go thither and ſtay there, and if the *Scots* required it, He would ſend her thither free from all Contracts of Mariage, ſo as the *Scots*, before they ſhould receive Her, gave good Security to Him and the King of *Norway*, that they would not marry Her without their Conſents.

Thirdly, The *Scotch* Commiſſioners likewiſe promiſed, for themſelves and their Nation, that they would ſecure it before ſhe came thither, that ſhe might come and remain in Her Kingdom, as Lady, Queen and Heireſs of *Scotland*, and that concerning the Premiſſes, they would give all rational Security that the Commiſſioners of *Norway* ſhould appoint.

Fourthly, That if any of the Guardians, or Officers of *Scotland*, were ſuſpected, they ſhould be removed, and new ones put in their Places by the Commiſſioners of *Norway* and *Scotland*, and ſuch as the King of *England* ſhould appoint for that purpoſe; and if the *Scots* and *Norweigans* could not agree in this matter, then the *Engliſh* Commiſſioners, were to determine what was to be done; and not only in this, but in all matters whatſoever that ſhould happen, relating to the State and Reformation of *Scotland*.

[1] *Ibm.* An Aſſembly of the Eſtates to be held at *Rokesburgh.*

For the Performance of all which Conditions, [1] it was further agreed, that there ſhould be a Great Aſſembly of the *Engliſh* and *Scots*, at or near *Rokesburgh*, at *Midlent* next following, where the *Scots* were to give Security, for the performance of theſe things, and for the Settlement of *Scotland*, before ſuch as the King of *England* ſhould ſend thither.

To this Agreement in Three parts, Two in *French* for the *Engliſh* and *Scots*, and a Third in *Latin* for the Commiſſioners of *Norway*, the reſpective Commiſſioners ſet to their Seals; and it bears Date at *Salisbury*, on *Sunday*, the Feaſt of St. *Leonard*, (*i. e. November* the Sixth) 1289.

* *Rot. Pat.* 17 *Ed.* 1. *M.* 3. 4. It is Printed in Dr. *Brady*'s Append. *N.* 9.

* Then King *Edward* ſent His Letters, bearing Date the ſame day at *Clarendon*, near *Salisbury*, directed to the Prelates, Great Men, and the whole Community of *Scotland*, requiring them to obey and be aſſiſting to the Guardians thereof, who were appointed, in the Name of his Couſin Queen *Margaret*, to govern that Kingdom.

Theſe Tranſactions are but ſlightly mentioned by any of our Hiſtorians, yet are extant on the Patent-Rolls in the *Tower*, from whence Dr. *Brady* hath tranſcribed the Subſtance of them; and I have alſo my ſelf compared them with the ſaid Rolls. Thus far proceeded the Treaty this preſent Year, and in the next ſhall be expreſſed the final Concluſion of it.

Anno Dom. MCCXC.

[2] *T.Wi. An.Wav.* The King Marries Two of His Daughters in one Year.

This [2] Year King *Edward* beſtow'd Two of his Daughters in Mariage, within a ſhort time after each other; *Joan* the Elder, Sirnamed of *Acres*, or *Acon* in the *Holy Land*, where ſhe was born, was Married in the beginning of *May* to *Gilbert de Clare*, Earl of *Gloceſter*, the Greateſt Nobleman of *England*, next thoſe of the Royal Blood; and in the beginning of *July* following, *Margaret* his Third Daughter was Married to *John*, Son to the Duke of *Brabant*, who graced the Solemnity with his own Preſence: Fifteen days after *Midſummer*, the King held a Par-

He holds a Parliament at *Weſtminſter*, and the Statute then paſſed.

liament at *Weſtminſter*, where was enacted that notable Statute of *Weſtminſter* the *Third*, which is alſo called (from the firſt Words of it) *Quia Emptores Terrarum*; becauſe it chiefly relates to Purchaſers of Lands held by Knights Service.

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But of other Affairs we find little worth noting, [3] except the Baniſhment of the *Jews*, who upon a General Complaint that was made againſt them by the Great Men and People of the Kingdom, for their Uſury and Extortions, had this Year their Eſtates ſeized for the King's uſe; having no more left them, than what would bear their Expences beyond-Sea, being not to return upon pain of Death: And we ſtill find upon Record * Two Writs with theſe Titles, the former *De Judæis Regno Angliæ Exeuntibus*, *i. e.* of the *Jews* going out of *England*; the Other *De Paſſagio & Conductu Judæorum Angliæ*, For the Paſſage and Conduct of the *Jews* of *England*; but whither theſe Wretches went, unleſs it were into the *Low-Countries* or *Germany*, I know not, for they were already Baniſhed out of *France*: But [4] many of them taking Shipping in the River *Thames* in a certain Veſſel belonging to one of the *Cinque-Ports*, were by the Wicked Maſter and Seamen, not only Plundered of all they had left them, but were alſo cruelly thrown over-board and drowned, which when the King heard, He cauſed a great number of thoſe Wicked Mariners to be Hanged.

[3] *M. W.* The *Jews* are Baniſhed the Kingdom for their Extortion.

* *Clauſ* 18. *Ed.* I. *M.* 16. *Pat.* 18. *Ed.* I. *M.* 14.

[4] *Chron. de Dunſtable.* *T. Wi.* Many of them robbed of all they had, and flung over-board.

But to give you ſome farther Account of the Baniſhment of the *Jews*; the old Manuſcript Chronicle of *Abingdon*, in the *Cambridge* Library, relates the manner of it ſomewhat otherwiſe, *viz.* As that it was done by Act of Parliament, at the ſame time when the Statute of *Weſtminſter* the *Third* was ordained, but yet they were not ſo ſeverely handled as the reſt of our Hiſtorians repreſent them; for that the King only ſeized their immoveable Goods (by which I ſuppoſe the Author means *Leaſes* and *Mortgages*) as alſo their Bonds and Securities for Money owing them; but as for their Jewels and ready Caſh, the King gave them leave to diſpoſe of them as they pleaſed: And this ſeems moſt likely; for otherwiſe if they had carried no Money with them, more than what would ſerve to pay their immediate Paſſage, how could the Marriners abovementioned have had ſuch a Booty of thoſe *Jews* they pretended to tranſport?

* Some other Accounts from *MS.* Hiſtorians, concerning the Baniſhment of the *Jews*.

However thus much is certain, That ſome time before their Baniſhment, at a Parliament held in the beginning of this Year, not long after the Feaſt of *St. Hillary*, there was a Statute made, Entituled, *de Judaiſmo*, by which the *Jews* were abſolutely forbid the taking any manner of Intereſt or Uſury for Money of *Chriſtians*, which Statute Sir *Edward Coke*, having publiſhed in his Second *Inſtitutes*, makes this Comment upon it; 'That the King did not directly expel them the Kingdom, but only 'prohibited them to put Money to uſe; which produced a Petition from 'them to the King, That they might have leave to depart the Land; 'a Requeſt eaſily granted unto them: Some will ſay it is all one in 'effect, whether one be Starved or Stabbed, Death inevitably falling 'from both, as here the *Jews* were Famiſhed, on the matter, out of '*England*; Uſury being their Meat and Drink, without which they 'were unable longer to ſubſiſt: However this took off much from the '*Odium* of the Act, that they were not immediately, but only indirectly, 'and conſequentially Baniſhed the Realm, or rather permitted a free De'parture on their own Petition for the ſame.

The paſſing of the Statute *de Judaiſmo*, and when it was made.

P. 506, 507. Sir *Edward Coke*'s Opinion concerning the Baniſhment of the *Jews* examined.

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I cannot deny but this Account of ſo Learned a Man, may ſeem very probable; and I ſhould be likewiſe of his Opinion, could I find any good Authority for it; all our Hiſtorians unanimouſly agreeing in this, That the *Jews* did not depart voluntarily, but were Baniſhed by publick Edict, as the Writs for their being conveyed beyond-Sea do alſo expreſly declare.

[5] *T. W.* He exacts a Fifteenth of all moveable Goods, contrary to Law.

But though the King now got a vaſt Sum of Money by this Confiſcation of the *Jew*'s Eſtates, yet was He not ſatisfied with it; [5] for preſently after *Michaelmas*, through the ill Advice of ſome of his Councellors, He iſſued out a Proclamation or Edict, whereby He exacted from all the People of the Kingdom, as well Clergy as Laity, the *Fifteenth* part of their Moveable Goods, which was alſo gathered with greater Severity than was wont, and gave all Degrees of Men a mighty Diſtaſt againſt his Government, though He was afterwards fain to retract all theſe Proceedings, as you will find in due time.

The Articles of the Marriage between Prince *Edward* and the Queen of *Scots*, agreed to by the Eſtates of *Scotland*, and what they were.

**Pat.* 88 *Ed.* 1. *M.* 8. 9.

It is fit we now continue the Account we gave you laſt Year of the Treaty of Mariage, between Prince *Edward* and the Young Queen of *Scotland*; for the ſpeedy performance of which, a Great Council of the Guardians, Biſhops, Abbots, Earls, Barons, and the whole Community of *Scotland* being Aſſembled at *Edenburgh*, King *Edward* * confirmed to them certain Articles, that had been agreed on by ſpecial Commiſſioners on both ſides.

Firſt, That they ſhould have, uſe and enjoy all their Laws, Liberties and Cuſtoms, they had before enjoyed.

Secondly, That if *Edward* and *Margaret* ſhould dye without Heirs, the Crown ſhould revert to the next Heir of the Kingdom.

Thirdly, That the Kingdom of *Scotland* ſhould remain ſeparated, divided and free in it ſelf, from the Kingdom of *England*, without any Subjection, by it's true Bounds and Limits, as it had been before time. This was granted; yet *with a ſaving of the King's Right, which He had before this.*

Fourthly, That the Chapters of Cathedral, Collegiate, or Conventual Churches, might not be compelled to go out of the Kingdom, to ask leave to Elect or Preſent their Elects, or to do Fealty to the King of *Scotland*; nor that any Tenants in *Capite*, or other Perſons, ſhould be forced out of the Kingdom, to do their Homage, Fealty and Services, or proſecute any Suits, or other things which were uſed to be done there; but that they might be done in their uſual Places, before the Chancellor of *Scotland* and Vice-Roy.

Fifthly, That the Parliaments, for what concern'd *Scotland*, ſhould be holden within that Kingdom.

* *Ibm.* The King gives Bond of 100000 *l.* Sterling, to perform the Articles, and deliver up the Kingdom.

* The King was to Swear to the Obſervation of all theſe Articles; and the Commiſſioners farther promiſed, That He ſhould oblige Himſelf and his Heirs in a Bond of a Hundred thouſand Pounds Sterling, to make Reſtitution of the Kingdom in the Caſe aforeſaid; and the Forfeiture, if incur'd, to be paid to the Church of *Rome*, in Aid of the *Holy-Land*; and that He ſhould conſent, the Pope might conſtrain Him and his Heirs, by *Excommunicating* them and *interdicting* the Kingdom, as well to the Reſtitution, as Payment of the Money, if He did not obſerve it.

It was laſtly agreed and promiſed by the *Engliſh* Commiſſioners, That King *Edward*, at His own Charges, ſhould procure the Pope to Confirm theſe Articles within a Year after the Mariage of the ſaid *Edward* and *Margaret*; and that within the ſame time the Bull was to be delivered to the *Community* of the Kingdom of *Scotland*.

Anno Dom. MCCXC.

The King engages to procure the Pope's Diſpenſation for Marriage.

Theſe Articles and Conceſſions were Sealed by the Commiſſioners, on *Tueſday* before the Feaſt of *St. Margaret*, (that is, the Eighteenth of *July*) *A. D.* 1290; and the Letters Patents of Confirmation of this Agreement were Sealed with the King's Seal at *Northampton*, the Eight and twentieth of *Auguſt*.

On the ſame day the King appointed (by his ſpecial Commiſſion) the Biſhop of *Durham* to be Lieutenant to Queen *Margaret* and his Son Prince *Edward* in *Scotland*, for preſerving the Peace and Government thereof, with the Advice of the Guardians, Prelates and Great Men, according to the Laws and Cuſtoms of that Kingdom: And the Guardians and Noblemen of *Scotland*, with the Governors and Captains of the Caſtles and Fortreſſes, engaged themſelves by an Inſtrument to deliver them up, when their Queen and her Husband ſhould come into that Kingdom. This whole Tranſaction at large is to be found in the Patent-Rolls of the Seventeenth and Eighteenth of *Edward* I. in the *Tower* of *London*.

Rot Parl. 18. *Ed.* I. *M.* 9. Printed in Dr. *B's.* Append *N.* 10.

The King appoints the Biſhop of *Durham*, Lieutenant or Governor of *Scotland*.

Rot. Pat. 18 *Ed.* I.

The *Scotiſh* Governors of Caſtles, *&c.* engage to deliver them up to the Queen, *&c.*

Ib. M. 34. *Ib. M.* 89.

All which I have here ſet down, to let you ſee, That the *Scots* were then very cautious, and did as much as lay in their Power, to hinder their Country from being any way ſubjected to *England*, as may more plainly appear by the Second Article of this intended Marriage. Yet all this Treaty came to nothing, by reaſon of the ſudden Death of the Young Queen, who deceaſed ſome time this Autumn in her Voyage between *Norway* and her own Kingdom (or as *Knyghton* relates in the Iſle of *Orkeney*) by whoſe immature Deceaſe, there aroſe a mighty Contention between the Competitors for this Crown, which could no ways be decided by the Eſtates of that Kingdom; and therefore they agreed to refer the Judgement of this Great Controverſy to King *Edward*: Who, when He heard this News, preſently reſolved to go into *Scotland*, to compoſe and determine the Differences which He perceived would ariſe concerning the Succeſſion, being accompanied with his Queen *Eleanor*, who fell Sick and Dyed of a Feaver at *Herdeby* in *Lincoln*-ſhire in her Journey; at which great loſs the King being hugely afflicted, returned preſently to *London* to be preſent at her Obſequies, which He order'd to be perform'd with Great Magnificence; to this end, her Corps was removed to *Weſtminſter* by eaſy Journeys, and ſome time after buried in the Church of that Abbey with an Auguſt Solemnity, the King Himſelf being preſent in Perſon: He Ordered a handſom Tomb, with her Image upon it in Braſs, to be made over her Grave, which is ſtill to be ſeen at the Feet of that of her Husband, who alſo order'd ſeveral Croſſes of Stone to be erected to her memory, with her Arms engraven upon them, at thoſe Places where her Body had reſted, and where a Solemn *Dirge* had been Sung for her Soul; ſeveral of which Croſſes remain at this day, as at *Northampton*, *Waltham*, &c. as there were alſo (in the memory of thoſe ſtill alive) in *Cheapſide*, and at the Place, from thence called to this day, *Charing-Croſs*, though theſe two laſt were taken down by order of the Long Parliament, *A. D.* 1643. as Relicts of Popiſh Superſtition. I thought fit to ſay ſo much of this Princeſs,

The Young Queen of *Scots* dies in her return home; upon which aroſe a great Contention between ſeveral Competitors for the Kingdom.

not

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not only becauſe all our Kings and Queens ſince that time have been deſcended from her, but alſo becauſe ſhe was an excellent Wife, and by her moſt obliging Carriage had highly won the Affection of all the Nation. But by reaſon of this Accident, all things in *Scotland* remain'd for ſome time in the ſame State as before.

C. W. H.

As to Foreign Affairs this Year, upon the Receit of the evil News of the City of *Acon* or *Ptolemais*, being taken by the *Saracens*, with a Great Slaughter of the Chriſtians, King *Edward* had ſome thoughts of making another Voyage to the *Holy-Land*, as appears by Pope *Nicholas* his Letters to the Biſhops of *Wincheſter* and *Lincoln* to that purpoſe, and in the mean while had for this end granted Him the Tenth of all Eccleſiaſtical Benefices in *England*, *Scotland* and *Ireland*, for the ſpace of Three Years, and that at their utmoſt value, for the carrying on this *Holy War*, or intended *Cruſado*; and though the King never went, yet He ſtill received the Money. But we ſhall now give a further Account of the *Scotiſh* Affairs, from the Great Roll concerning King *Edward*'s Superiority over that Kingdom.

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Rot. de Superioritate, Regis in Scotiam 18 *Ed.* I. *penes Cuſtod Record in Turre London.*

Ibm.

The King being now reſolved to determine this Great Controverſy about the Succeſſion of the Crown of *Scotland*, as *Supreme* or direct Lord thereof, called a Parliament at *Norham*, on the Confines of *Scotland*, conſiſting of the Prelates, Nobility, Knights and others of both Kingdoms, who being all Aſſembled on the Tenth of *May*, at the Place abovementioned, *Roger Brabançon*, the King's Juſtitiary, in the Preſence of a publick Notary, and many other Witneſſes of great Quality, told them the Reaſon of the King's coming, and of their being there ſummoned together; which was, That He taking notice in what Confuſion their Nation had been ſince the Death of *Alexander* their laſt King and his Children, for the Affection He had for that Kingdom and all the Inhabitants thereof, whoſe Protection was well known to belong to Him, He was reſolved, for the doing Right to all that Claim'd the Kingdom, and Preſervation of the Peace thereof, to ſhew them his *Superiority* and direct *Dominion* out of divers Chronicles and antient Monuments, preſerved in ſeveral Monaſteries in *England*; yet that He would Uſe this Right, and do Juſtice to all, without any Uſurpation or Diminution of their Liberties; and further to Demand their Aſſent to, and Recognition of his ſaid Superiority and direct Dominion.

Ibm.

The Juſtitiary having thus ſpoken in the King's Name, and the Biſhops and other Prelates, Earls, Barons, Great Men and Nobles of the *Community* of the Kingdom of *Scotland* there preſent, having underſtood his Meaning, they required time to conſult with ſuch of their ſeveral Orders as were abſent, which the King granted until the next day only.

Ibm.

When, it being the Eleventh of *May*, they met again in the Pariſh Church of *Norham*; and then they earneſtly preſſed the King to give them longer time to conſult with ſuch as were abſent, and to Anſwer his Demands concerning their Recognition of his *Superiority* and direct *Dominion* over the Kingdom of *Scotland*, which He ſaid was his Right. Then upon further deliberation, He gave them time until the Second of *June* next coming; and on that day preciſely they were to Anſwer his Demands, and if they had any Evidences, Writings or Antiquities to produce, which might exclude Him from the Right and Exerciſe of his ſaid Superiority and direct Dominion, or overthrow his Reaſons and Arguments

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Arguments for it, they were then to exhibit, and ſhew them; proteſting He was ready to allow them what the Law permitted, and to do what was juſt.

* *Ibm.* The Biſhop of *Durham* is appointed by the King to declare his Title to the Superiority over that Kingdom.

* And that they might the better underſtand his Title, and make their Objections againſt it if they pleaſed, the Biſhop of *Durham* was appointed to ſet it forth to all the Nobles and Prelates their preſent: It is true, the Declaration he then made, and Arguments he uſed, were wholy Hiſtorical, and had been ſearched for and taken out of the Chronicles of *Marianus Scotus*, *William* of *Malmeſbury*, *Roger de Hoveden*, *Henry de Huntingdon*, *Ralph de Diceto*, and the Chronicle of St. *Albans* (that is) *Matt. Paris*, that lay then in ſeveral of the Abbies of *England*, being to this Effect; That the *Scots* had been Conquered by ſeveral of our *Saxon* Kings; that many of their Kings had ſubmitted and Sworn Fealty to them, done Homage, and received the Crown and Kingdom from them, and that the *Scots* had alſo ſubmitted, and been governed by ſuch Kings, as the *Engliſh-Saxon* Kings had placed in that Kingdom; That after the Conqueſt, the very ſame things had been done, ſubmitted to and complied with, in the Reigns of *William* the *Firſt*, and *Second*, *Henry* the *Firſt*, *Stephen*, *Henry* the *Second*, *Richard* the *Firſt*, King *John*, and *Henry* the *Third*.

The Subſtance of this Declaration, and from whence extracted.

This is the Subſtance of that Declaration, which you may find more at large in the Hiſtories of *Matt. Weſtminſter*, and *Tho. Walſingham*; and which the King then cauſed to be ſet forth to ſatisfy the Clergy and Nobility of *Scotland*: But to ſpeak the truth, though the Matters of Fact which are therein cited are righly enough ſet down, yet there is no mention made of any Homage or Fealty done by the *Scotiſh* Kings, for the whole Kingdom of *Scotland* properly ſo called, which (as I have ſhewed in the former Volume) extended antiently no farther then the Bridge of *Sterling*, which in the time of King *Edgar* was the Boundary between the *Scotiſh* and the *Northumbrian* Kingdoms. But I ſhall defer ſaying more upon this Subject, having already ſaid ſo much of it in my Introduction; only this is obſervable, That whatever Authorities are found in our Hiſtorians againſt this Homage now claim'd, there was no Notice taken of them in this Declaration of King *Edward*; and there was very good reaſon for it, becauſe had they been mention'd, they might have ſerved to ruin the King's Pretences to any Superiority over that Kingdom.

* *Rot. de Super. Regis Angliæ, &c.* Another Meeting of the Nobility and Biſhops of *Scotland*, together with all the Competitors to the Crown.

* *Ibm.*

But ſince we have nothing left us that is Authentick concerning any Anſwer or Defence the *Scotiſh* Clergy and Nobility then made to the King's Demands, we muſt only rely upon what Accounts, we can find in our own Records, * where it farther appears, that after the King's Title to the Dominion of *Scotland*, had been declared and publiſhed on the Second of *June*, the Biſhops and other Eccleſiaſtick Prelates, together with the Earls, Barons and other Nobles of the *Community* of the ſaid Kingdom of *Scotland*, met right over againſt *Norham*-Caſtle, (where King *Edward* then was) in a *Green* Plain on the other ſide of the River *Tweed*; as did alſo all the Princes and Noblemen that claimed the Kingdom: Then the Biſhop of *Bath* and *Wells* was ſent to demand in the King's Name what they had done ſince at their laſt Meeting, and * whether they would ſay, propound, or ſhew any thing that could or ought to exclude the King of *England* from the Right and Exerciſe of his Superiorìry and direct Dominion over the Kingdom of *Scotland*; and

Who are all required to produce what they had to object againſt the King's Superiority.

* *Ibm.*

that they ſhould produce and exhibit it if they believed it expedient for them; proteſting in the Name of the King of *England*, that he (the Biſhop) would favourably hear them, and allow what was juſt, and report what they ſaid to Him and his Council, that upon deliberation they might do what Juſtice required; but ſince they (though often deſired) had anſwered nothing, neither propounded nor exhibited any thing againſt it, therefore the * Biſhop, recapitulating what had been ſaid and urged for the King's Title, and what had been done at theſe ſeveral Meetings, in all which they had offered nothing conſiderable againſt it, declared to them the Biſhops, Prelates, Earls, Barons and others of the Community of *Scotland*, That the King would make uſe of his Right of Superiority and direct Dominion in *Scotland*, in deciding the Controverſy between the ſeveral Competitors for that Kingdom.

* *Ibm.*

Robert Lord *Bruce* firſt owns the King's Superiority, &c.

Then the * Biſhop beginning with *Robert de Bruce* Lord of *Anandale*, being one of the Cheifeſt Competitors for the Kingdom of *Scotland*, he demanded of him, in the Preſence of all the Eſtates of the Kingdom laſt mentioned, Whether in claiming the ſaid Right, he would anſwer and receive Juſtice before the King of *England*, as Superior and Direct Lord of the Kingdom of *Scotland*? Who openly and expreſly, in the preſence of all there preſent, anſwered, That he did acknowledge *the King of* England *Superior and direct Lord of the Kingdom of* Scotland; *and that he would, before and from Him, as his* Superior and direct Lord of the Kingdom of *Scotland*, anſwer, and receive Juſtice.

* *Ibm.*

As did alſo all the reſt of the Competitors.

Then * all the other Competitors there preſent, (*viz.*) *Florence* Earl of *Holland*, the Lord *John Haſtings*, *Patrick* of *Dunbar* Earl of *Marche*, *William Veſcy*, *William de Roſs*, *Robert de Pinkney*, and *Nicholas de Soules*, had the ſame Queſtion put to them, and made the ſame Anſwer.

† *Ibm.*

† *John Baliol* was then abſent; but upon his Proctor's Requeſt the Meeting was continued until the next day, the *Third* of *June*, to be in the Pariſh Church of *Norham*; when he gave the ſame Anſwer to the Third Queſtion.

And they did not only make this *Recognition* publickly in this Great Aſſembly, but alſo ſigned the following Letters Patents thereof to the King in the *French* Tongue, which was uſed at that Time, and which I have here tranſlated for the Benefit of my *Engliſh* Reader.

To all thoſe who ſhall ſee or hear this preſent Letter.

Rot. de Superior. Scotiæ N. It is alſo Printed in *Matt. Weſtminſter.*

The Charter of Submiſſion from all the Competitors, Acknowledging the Kings Right of Superiority.

'WE *Florence* Earl of *Holland*, *Robert de Bruce* Lord of *Anandale*, *John Baliol* Lord of *Galloway*, *John Haſtings* Lord of *Abergavenny*, *John Comyn* Lord of *Badenaugh*, *Patrick de Dunbar* Earl of *Marche*, *John Veſcy*, for his Father *Nicholas Soules*, and *William de Ros*, Greeting in the Lord: Whereas we intend to perſue our Right to the Kingdom of *Scoland*, and to Declare, Challenge, and Aver the ſame before Him that hath moſt Power, Juriſdiction, and Reaſon to try it; and the Noble Prince *Edward*, by the Grace of God King of *England*, &c. having informed us by good and ſufficient Reaſons, that to Him belongs the Sovereign *Seignenry* of

‘ the Land; We therefore Promiſe, that We will hold firm and ſtable ‘ his * Act, and that he ſhall enjoy the Realm, to whom it ſhall be ‘ Adjudged before Him. *In* Witneſs *whereof we have here ſet our Seals to this Writing, made and granted at* Norham, *the* Tueſday *after the* Aſcenſion, *in the Year of Grace*, 1291.

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* *Viz.* His Judgment or Sentence concerning that Matter.

But I ſhall here relate what our own [1] Manuſcript Hiſtorians farther add, concerning the manner of obtaining this Submiſſion from the *Scotiſh* Noblemen, *viz.* That upon a Recital or ſetting forth of the Authorities out of the *Engliſh* Chronicles, Charters, and Papal Bulls, there was a ſhort and peremptory Day given them to return their poſitive Anſwer, what they would do; and when they ſeem'd diſſatisfied, and not willing to comply with the King's Demands, He was ſo far incenſed, that He Swore by St. *Edward*, (the greateſt Oath He ever uſed) That He would looſe his Life in the Proſecution of his Juſt Rights; and indeed, He had all the *Militia* of *England* then ready prepar'd to have fallen upon, and compel them, if they had then denied what He demanded; ſo that it was no wonder, if not only the *Scotiſh* Nobility, but all the Competitors to the Crown, either for Hope or Fear, made the abovemention'd *Recognition* of King *Edward*'s Right to the Superiority over all *Scotland*.

[1] *Chron. Abing.* *C. W. H.*

An Account from ſome MS. Hiſtorians concerning the Force that was then uſed to procure the Aſſent of the *Scotiſh* Nobility.

This done, the King and his Council treated with the Prelates, Noblemen, and Competitors for the Crown of *Scotland*, about the propereſt Method how to proceed in this Buſineſs, as alſo about the Settlement of the State of the Nation; whereupon it was Agreed by the unanimous Conſent of the Noblemen and Prelates of both Nations, That * *John Baliol* and *John Comyn* ſhould chuſe Forty, and *Robert de Bruce* ſhould chuſe other Forty fit Perſons, their Names to be delivered to the King within three Days after, (*viz.* on the 5th of *June*,) and that He ſhould add Twenty four, more or leſs, who ſhould Hear and Diſcuſs the Rights of the ſeveral pretending Parties, and make a faithful Report thereof to Him; and then that He ſhould give the Definitive Sentence, by which they ſhould be all concluded.

Ibidem. *Eod. Rot.*

The King ſettles the Method of his Proceeding in this Affair, with the *Scotiſh* Biſhops, Noblemen, and all the Competitors

* *Note*, Theſe three had the moſt Apparent Right to the Crown.

Theſe things were diſpatched on the 2d or 3d of *June*; But becauſe by the Letters Patents of *Recognition*, or Inſtrument above-mention'd, the King had not ſufficient Power to put his ſaid Sentence in Execution, for whomſoever the Kingdom ſhould be adjudged, unleſs He (the ſaid King) were in Actual Poſſeſſion thereof; * the Competitors therefore came before Him on the 14th of *June*, and very many of the Biſhops, Earls, Barons, Knights, and Noblemen of both Kingdoms, and then had Poſſeſſion given Him of the Kingdom and Caſtles of *Scotland* by all the Competitors, with the Conſent of the Community of the ſame Kingdom, *Nemine Contradicente*, according to a certain Inſtrument or Writing, which being ſomewhat long, I ſhall only give you the Subſtance of it.

* *Ibidem.*

The Competitors, and the Biſhops and Nobility, Conſent, that the King ſhall have Poſſeſſion of the Kingdom, till the Right be determined.

* It is another Charter from *Florence* Earl of *Holland*, and all the reſt of the above-named Competitors, reciting, That whereas they had already granted with one Aſſent, That King *Edward*, as Superior Lord of *Scotland*, ſhould Judge of, and Determine their ſeveral Rights and Titles, *&c.* then proceeds thus:

* *Ibidem.*

The Competitors Grant another Inſtrument, declaring their Aſſent to it

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But becauſe the ſaid King of England *cannot accompliſh his Judgment, or put his Judgment in full Execution, ſo as to have it take Effect, without the Poſſeſſion or Seiſin of the ſaid Country, or the Caſtles thereof: We Will, Grant, and Aſſent, That He, as Sovereign Lord, to perform the Things aforeſaid, ſhall have Seiſin of all the Lands and Caſtles in* Scotland, *until Right be done to the Demandants; upon Condition, That before He be put in Poſſeſſion, He ſhall give ſufficient Security to the Demandants, and to the Guardians and Community of the Kingdom of* Scotland, *to reſtore both It and the Caſtles, with all the Royalties, Dignities, Seigniories, Franchiſes, Cuſtoms, Rights, Laws, Vſages and Poſſeſſions, and all manner of Appurtenances, in the ſame State and Condition, as they were when He received them; Saving to the King of* England *the Homage of Him that ſhall be King; ſo as they may be reſtored within Two Months after the Day the Right ſhall be Determined and Affirmed; and that the Profits of the Nation which ſhall be received in the mean time, ſhall be kept in the Hands of the Chamberlain of* Scotland, *that now is, and One to be joyned with him by the King of* England; *ſo as the Charge of the Government, Caſtles and Officers of the Realm may be deducted. In Witneſs whereof We have here ſet our Seals to this Writing, made and granted at* Norham, *on* Wedneſday *after* Aſcenſion, *in the Year of Grace*, 1291.

When the King had thus obtain'd theſe Charters of *Recognition* of all the Competitors for the Crown, He ſent Authentick Copies of them, under his Privy Seal, to all the Chief Monaſteries in *England*, with Orders, That they ſhould be Enter'd in the Chronicles and Leiger-Books of their reſpective Houſes; divers of which are ſtill Extant in the *Cottonian* Library, where they that doubt the truth of it may conſult them; and our Authors have been ſo Exact as to give us a Copy of the Writs, whereby the Abbots and Priors of thoſe Religious Houſes were enjoyned to perform it: It bears Date the 9th of *July*, in the 19th Year of his Reign, *A. D.* 1297. being about ſeven Years after the Grant of that Charter, and ſeems to have been done about the time when the Pope began to queſtion the King's Superiority over *Scotland*: And that none may queſtion the Truth of it, the very Original of the Charter of *Recognition* is ſtill preſerved, with the Seals of all the Competitors Appendant to it, in the ſame Library, that great Repoſitory of Rarities of this kind. So much I thought fit to ſay in Confirmation of this Noble Record, to which I ſhall now return.

Chron. Abing. C. W. H.

* *Ibidem.*

* On the 5th of *June*, the Names of the Eighty Commiſſioners, Elected to Examine, Hear, and Report the Rights of the Competitors, were delivered to the King; and on the 6th, they were ordered to appoint the Place and Day for their Examination, and hearing the Petitions of the ſeveral Demandants, and Diſcuſſing their Right; and *Berwick upon Tweed* was the Place appointed for it, which the King accepted; but they not agreeing on the Time, the King, as Superior and Direct Lord of the Kingdom, by the Unanimous Conſent of the Prelates and Noblemen of both Kingdoms there preſent, appointed the 2d of *Auguſt* as a peremptory Day for the Competitors to propound their Titles.

The Time for Hearing of the Claims of the Competitors is put off till the 2d of *Auguſt*.

† *Ibidem.*

The Caſtles of *Scotland* delivered to the King, with the Guardianſhip of the whole Kingdom.

† Then on the 11th of the ſame Month, the Biſhops of St. *Andrews* and *Glaſcow*, *John Comyn* Lord of *Badenaugh*, and *James Seneſchal* or *Steward* of *Scotland*, then appointed Guardians of the Kingdom, and all the Caſtellans, or Conſtables of Caſtles, delivered up their Guardianſhips and

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Bayliwicks to the King of *England*, as Superior Lord; and when He had received them, He committed the Guardianſhip of the Kingdom to the ſame Perſons, to Govern it under Him, and in his Name; and preſently the Biſhops and Noblemen of *Scotland*, by the King's Command, choſe *Alan* Biſhop of *Cathnes* their Chancellor, and preſented him to the King, who allowed Him, and adjoyned *Walter* of *Agmundeſham*, his Clerk, to him, as an Aſſociate; and on the next Day they were both Sworn.

* These things being thus diſpatched, the Guardians and Competitors to the Crown, and all and ſingular the Biſhops and other Prelates, Earls, Barons, great Men, and the *Communities* of Cities and Burghs, that were there preſent, and that were bound to do and ſwear Fealty, had notice to do it on the Morrow, to the King of *England*, as Superior and Direct Lord of *Scotland*, in the ſame Place where they were at that time Aſſembled, on the *Green Plain* beyond the River *Tweed* within the Bounds of *Scotland*, which was then done, and they Sworn accordingly; after which, the King cauſed his Peace to be publickly proclaimed.

* *Ibidem.* Upon which, the Prelates, Noblemen, and Commons of *Scotland* Swear Fealty to King *Edward* as Superior Lord thereof.

* From this 13th of *June*, to the 3d or 4th of *Auguſt*, all the Biſhops, Earls, Barons, Noblemen, Free Tenants, and all others that were bound, to do and ſwear Fealty to the Crown of *Scotland*, (and who were not then preſent) were (to ſave Expences and Labour) Sworn by Commiſſioners in all Parts of the Kingdom, and a very great number of their Names ſtand Recorded on this Roll; but in every Place, where they had Sworn, the King's Peace or Protection was proclaimed. The Form for taking the Oaths and Fealties of *Abſentees* was made by the Agreement and expreſs Conſent of all the Biſhops, Earls, Barons, and other Noblemen of *Scotland* there preſent.

* *Ibidem.* Those that ſtaid at Home are Sworn by Commiſſioners for that purpoſe.

[3] While the King was thus employed in Deciding this Controverſie, his Mother Queen *Eleanor* died about *Midſummer*; whereupon He immediately return'd into *England* to ſee Her Interred, and the Funeral was Solemnized with all due Honour in the Church of the Nunnery of *Ambresbury*, where ſhe had been Profeſſed, which being over, He went back again toward *Scotland*.

[3] *T. Wal. f.* 57. The Death of the Queen Mother calls the King to *London*.

* It alſo appears from the above-mention'd Record, that the King was arrived at *Berwick* by the 3d of *Auguſt*, on which Day, (according to his Appointment) all the Competitors for the Crown appeared before Him and his Council, in a great Aſſembly of the Prelates and Noblemen of both Nations; and with them the Twenty four *Engliſh* Auditors, or Examiners of their Titles named by the King, and other Fourſcore, who were choſen by *Robert de Bruce* and *John Baliol*, (being Forty for each of them) with ſuch others as would Conſent to the Election made by them, to Diſcuſs their particular Rights, and make Report thereof to the King.

* *Rot. de Super. Regis, &c. ut ſupra.* But upon his Return all the Competitors, with the Auditors, or Commiſſioners, appear before Him.

† There appeared no leſs than Twelve Demandants, who all put in their Claims for the Crown of *Scotland*, all Entred on this Roll, who Petitioned to have the Kingdom delivered to them; beſides the King of *Norway*, who by his Proctor and Meſſengers demanded it likewiſe, as Heir to his Daughter *Margaret* late Deceaſed; the others were, *Florence* Earl of *Holland*, *Patrick de Dunbar* Earl of *Marche*, *William de Veſey*, *William de Ros*, *Robert de Pinkny*, *Nicholas de Soules*, *Patrick Galightly*, *Roger de Mandeville*, *John Comyn*, *John de Haſtings*, *John de Baliol*, and *Robert de Bruce*.

† *Ibidem.*

The Names of the Twelve Competitors for the *Scotiſh* Crown.

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* *Ibidem.* The Claims of the ſeveral Competitors being reported to the King, he puts off the Deciſion of it till the Year following.

[4] *Chro. Abing.*

* Their Petitions, with the Reaſons of their reſpective Claims, having been preſented, and ſhewn to the ſaid Auditors, they reported them to the King before the Prelates and Noblemen of both Kingdoms, in the preſence of all and every of the Demandants, and of the Publick Notary; and then the King Aſſigned them, by their own Conſent, the *Monday* next after the Feaſt of the *Holy Trinity,* [4] which would be on the 2d Day of *June*, in the Year 1292. for the further proſecuting of their reſpective Titles and Claims: And in the mean while, having Ordained Governors for the Royal Caſtles of *Scotland,* He return'd into *England,* where He ſpent the reſt of the Year; but what He did till his Return into *Scotland,* I do not find.

† *Ibidem.*

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The King comes to *Berwick*, and thereupon a ſtrict Examination of the ſeveral Titles of the Competitors, finds that the Lords *Bruce* and *Baliol* had the beſt Right.

† The King being come to *Berwick upon Tweed* on the Day laſt mention'd, and the Prelates and Noblemen of both Kingdoms there aſſembled, with the *Auditors* of Claims that had been Elected by them, thoſe appointed by the King to Diſcuſs and Hear the Rights of the Parties Claimant, after an attentive and patient Hearing of all their Pleas, came to the King, and related what had been done; who, with the Prelates and Noblemen of both Kingdoms, ſtrictly Examined them; and for that He found there would be great Delay, and much Time ſpent, to the manifeſt Peril and Danger of the Kingdom, it was ordered by the expreſs Conſent of all Pretenders, and by the Aſſent of the Prelates and Noblemen aforeſaid, That the Rights and Titles of *Robert de Bruce* and *John Baliol* ſhould be firſt Examined and Diſcuſſed, and that afterwards all others might proſecute their Claims if they thought fit.

* *Ibidem.* The King cauſes the Eighty Commiſſioners to take an Oath to give him true Advice. They alledg'd great Difficulties in giving their Judgment; whereupon the Deciſion is again put off till the Meeting of the next Parliament in *October*.

It is further Recited in this * Record, That the King, tho' He might, as Superior Lord of *Scotland,* have judged this Cauſe without the Aſſiſtance or Advice of the ſaid Eighty Auditors; yet, that He might do it with more Security and Prudence, He cauſed them all to appear and take an Oath, That they would truly Adviſe Him how, and by what Laws and Cuſtoms, He ſhould proceed to Judgment in this Caſe: But theſe Eighty Perſons pretended mighty Difficulties, and deſired that the Twenty four *Engliſh*, whom the King had appointed, might be added to them; and theſe Twenty four pretended as great or greater Difficulties, and therefore durſt not undertake the Charge, or conſult upon the Buſineſs before them, without the Advice of the Prelates, Nobles, great and wiſe Men of *England* that were abſent: Wherefore by the unanimous Aſſent of all there preſent, the King Aſſigned the Morrow after the Feaſt of the Tranſlation of St. *Edward* the *Confeſſor*, (that is, the 14th of *October*) for their further Proceeding in this Matter, in his Parliament to be held in the ſame Place.

† *Ibidem.* The Nobility of both Kingdoms being met, the King ask'd them, By what Laws or Cuſtoms he is to give Judgment in this Caſe?

† At that Day, the Prelates and Noblemen of both Kingdoms appearing at *Berwick,* as alſo the ſaid Auditors, the King asked them, (as He had done before?) By what Laws and Cuſtoms, Judgment was to be given in the preſent Caſe? And if there were found no Laws or Cuſtoms to proceed by, how then it was to be given; and whether otherwiſe, concerning the Kingdom of *Scotland,* than concerning Earldoms, Baronies, and other individible or impartible Tenures?

* *Ibidem.* And appoints that the Claims of *Baliol* and *Bruce* be firſt Heard.

* The King having received their Anſwers, ordered all the ſaid Auditors to repair to the Church of the *Fryars-Preachers* in *Berwick*, and favourably to hear *John de Baliol*, and *Robert de Bruce*, from Day to Day, what

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what they had to ſay or propound. *Robert de Bruce* began firſt, ſhewing the Reaſons and Arguments for his Claim; in which he concludes thus, *Quod quidem Regnum Scotiæ cum Pertinentiis dictus Robertus de Bruce Clamat tenere libere & in libertate de Domino Edwardo Rege Angliæ & de Corona Angliæ Jure hæreditario in perpetuum:* After whom, *John Baliol* ſet forth his, in a long Plea, and anſwered all that *Robert de Bruce* had ſaid: Then the Auditors having related to the King what had been urged on each ſide for their reſpective Titles, they both perſonally appeared before Him, who asked them, If they had any thing further to ſay? They anſwered, *No:* Whereupon the King openly and publickly, before the Prelates and Noblemen of both Kingdoms, his whole Council and the *Auditors*, Demanded of them, What Advice they would give Him; which of the two, according to what they had ſhewn, and ſet forth, had the true Right of Succeſſion to the Kingdom of *Scotland*? And the Force of all their Arguments on both Parts was drawn into this ſingle Queſtion; which I ſhall thus Tranſlate into *Engliſh*, without troubling you with the *Latin* Original.

Upon Hearing their ſeveral Claims, the King demands Advice, which of theſe two Competitors had the better Title?

* *Whether the more Remote by one Degree in Succeſſion, coming from the Eldeſt Siſter, ought, according to the Laws and Cuſtoms of thoſe Kingdoms, to Exclude the Nearer by a Degree coming from the Second Siſter? Or whether the Nearer by one Degree Deſcending from the Second Siſter, ought, by the Laws and Cuſtoms of thoſe Kingdoms, to Exclude the more Remote by a Degree coming from the Eldeſt Siſter.*

* *Ibidem.* Both their Claims are reduced into one ſingle Queſtion.

To which they unanimouſly Anſwered, without a Negative, That the more Remote by one Degree, *Lineally* deſcending from the Eldeſt Siſter, according to the Laws and Cuſtoms of both Kingdoms, is to be prefer'd to the Nearer by one Degree coming from the Second Siſter, in every Hereditary Succeſſion of that Nature.

Now that the Reader may more clearly underſtand this Queſtion and Anſwer, it will be neceſſary for me to leave the Record a while, and to ſet forth the Pedegree of both theſe Noble Perſons.

Henry Prince of *Scotland*, Son to King *David* the *Firſt*, who Died before his Father, left Three Sons; *Malcolm*, Sirnamed the *Maiden*, (ſo called becauſe of his great *Chaſtity* and *Averſion* to Mariage) *William*, Sirnamed the *Lyon*, from his great Courage; and *David* Earl of *Huntington*. King *William* had but one Son, called *Alexander* the *Second*, who was Father of *Alexander* the *Third*, his only Surviving Iſſue, who Married *Margaret* Daughter to King *Henry* the *Third* of *England*, and Siſter to *Edward* the *Firſt*: By her he had Two Sons, *viz. Alexander* and *David*, who Died without Iſſue; and one Daughter, named *Margaret*, Married (as you have heard) to *Eric* King of *Norway*, by whom ſhe had one only Daughter, named alſo *Margaret*, late Queen of *Scotland*, who Dying without Iſſue, (as was ſaid before) the whole Line of *William* the *Lyon* failing, the Right of the Crown remain'd in one of the Grandchildren of the ſaid *David*, Earl of *Huntington*; but to which of them it belonged was a Difficulty ſomewhat hard to be decided.

The Pedigree of each of theſe Competitors.

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For this Earl *David* had Three Sons, *Henry*, and *Robert*, who Died young, and *John*, Sirnamed the *Scot*, Earl of *Cheſter*, who alſo Died without Iſſue; and Three Daughters, *viz. Margaret*, the Eldeſt Married to *Alan*, Lord of *Galloway*, by whom ſhe had One only Daughter, *Dergovilla*, who was Married to *John Baliol*, and by whom ſhe had *John Baliol*, One of the Competitors for the Crown, as is above-mentioned.

The Title of the Lord *Haſtings*.

The Pretences of *Bruce* and *Baliol* appear difficult to be decided.

Yet that *Baliol* had the better Title.

His Second Daughter was *Iſabel*, Married to *Robert Bruce*, by whom ſhe had *Robert* her Son: There was alſo *Adama* a Third Daughter, Married to *Henry* Lord *Haſtings*, from whence all the Earls of *Huntington* of that Name are Deſcended. Now by this Pedigree, it appears, That tho' *Robert Bruce*, Son to *Iſabel*, Second Daughter to Earl *David*, was by his Mother's ſide one Degree nearer to Earl *David*, on whom the Right of the Crown would have Devolved, had he been ſtill alive; yet *John Baliol* was Grandchild to *Margaret*, the Eldeſt Daughter to *David*, which ſhews the Reaſon of this Queſtion, and the Anſwer that was given to it; upon this old controverted Point among the *Feudiſts*, Whether the next in Blood, (tho' of a Collateral Line, eſpecially if a Male) ſhould not Succeed, before one more remote in the Right Line? Some holding One way, ſome the Other; thoſe of *France* and *England* maintaining a Right by Repreſentation in the Iſſue, where the Parent in whom it would have been was Dead; and by this Title it was, that King *Edward* the *Third* afterwards Claimed the Crown of *France*, which I mention to let the Reader ſee, that according to the Laws and Cuſtoms of both *England* and *Scotland* at that time, *Baliol* had the better Title, notwithſtanding what *Hector Boethius*, and other *Scotiſh* Writers, have ſaid to the contrary; but to return to the Matter.

* *Rot. de Superioritate Regis Angliæ, &c. ut ſupra.*

Judgment is given againſt *Bruce's* Title, but that of *Baliol's* is again put off.

Upon the Anſwer above-mentioned, (as 'tis in the * Record) the King cauſed the Cauſe to be again carefully Re-examined before the Prelates and Noblemen of both Kingdoms, and Aſſigned to *Robert de Bruce* and *John de Baliol*, the 6th Day of *November*, to hear their final Sentence; which was judicially pronounced by the King Himſelf, with the Advice of the Noblemen and Prelates of both Kingdoms, the *Auditors* aforeſaid, and others of the Council; *That the ſaid* Robert *ſhould not Enjoy any part of the Kingdom of* Scotland *by his Petition*; but as for that of *John Baliol* there ſhould be nothing done upon it, until the other Competitors were heard.

Then the King Commanded *John Baliol*, and the other Demandants, with the *Auditors*, to go to the ſame Place for the diſpatch of their Petitions.

† *Ibidem.*

The Lord *Haſtings* puts in for a Third Part of the Kingdom.

† As for the Claim of *John Haſtings*, Son to *Henry Haſtings*, I ſhall only barely mention it; for when he found that being the Grandſon of the Youngeſt Daughter of Earl *David*, he could not Claim as Sole Heir, he then put in for a Third Part of that Kingdom, and gave this Reaſon for it, becauſe all the Lands that were held of the Crown of *England*, were Partible, and that ſince *Scotland* was ſo held, it ought to be divided in like manner; which was certainly a great miſtake, for the Law was then otherwiſe in *England*, as to Lands and Honours held by *Knight's Service*, eſpecially in reſpect of Females; as appears from the Caſe of the Siſters of the ſaid *John Scot*, Earl of *Cheſter*, upon whoſe Deceaſe without Iſſue, the Earldom, with the County, Devolved to the Crown, and the Siſters above-mention'd had no part of it allow'd them.

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As for *Robert Bruce*, he again appeared; and ſince he could not Enjoy the whole, he likewiſe Claimed a Third Part of the Kingdom, to be held by Homage of the King of *England*, as Superior Lord of *Scotland*: So that if our Records may be credited, (as I ſuppoſe they deſerve) rather than the *Scotiſh* Hiſtorians, he would have been well-contented with a Third Part of the Kingdom of *Scotland* upon thoſe Terms, which (as they ſay) he afterwards denied to accept of the whole. But Judgment was not given againſt either of them upon this Point.

* *Ibidem.* The King demands, Whether the Kingdom of *Scotland* be Partible among Females? And is anſwer'd in the Negative.

* For altho' both their Arguments and Reaſons had been ſufficiently anſwered in the Defence of *John Baliol*, before the *Auditors*, which were related to the King; yet He, willing to deliberate with his Council, and the *Auditors*, upon theſe Things, farther enquired of them, Whether the Kingdom of *Scotland* was Partible among Females? Who all Anſwered, It was not: Upon which Anſwer, The King appointed *Monday* next after the Feaſt of St. *Martin*, as the peremptory Day for all the Competitors to hear their Judgments in his Parliament at *Berwick* intending in the mean time further to Deliberate and Examine theſe Matters with *knowing* Men of both Kingdoms, beſides the *Auditors*, and Others of his Council, that ſo He might be fully inform'd, what in Juſtice ought to be done.

* *Ibidem.* The other Competitors renew their Claims.

* *Note*, He had now put in his Claim as Heir to the late Queen, his Daughter, tho it was not allow'd.

* On the 7th of *November*, 1292. which was the *Monday* after the Feaſt aforeſaid, the *Nobles* and *Prelates* of both Kingdoms, the *Auditors*, other *Great Men*, and a great Number of the People, being met in the Hall of the Caſtle of *Berwick*, with the Publick Notary who Signed the Acts of the Court, all the other Competitors Claiming the Kingdom, *viz.* * *Eric*, King of *Norway*; *Florence*, Earl of *Holland*; *William de Veſcy*; *Patrick*, Earl of *March*; *William de Ros*; *Robert de Pinkeny*; *Nicholas de Soules*, and *Patrick Galightly*; tho' they had ſufficient Notice and Summons to be there, yet did not appear, but had withdrawn themſelves, becauſe (I ſuppoſe) they found they were Excluded by the better Titles of the two laſt above-mentioned Competitors.

* *Ibidem.* All of them are ſet aſide by the King.

* Whereupon it was then Adjudged, and Judicially pronounced by the King, with the Conſent of the Noblemen and Prelates of both Kingdoms, That all theſe laſt mention'd Competitors ſhould obtain nothing by their Petitions: And becauſe *John Comyn*, and *Roger de Mandeville*, did not proſecute their Petitions, they had the ſame Judgment.

* *Ibidem.* The Lord *Bruce* alſo Claims a Third Part of the Kingdom, but is denied.

* But as to the laſt Petition of *Robert de Bruce*, whereby he Claimed the Third Part of the Kingdom for his Share, as of a Partible Inheritance; becauſe it appeared by his firſt Petition before the King, that he demanded the whole Kingdom of *Scotland*, he therefore did by that Acknowledge and Grant, That the Kingdom was Impartible, and one entire Inheritance; which *Recognition* and *Conceſſion*, he could not then deny; and for that it had been Agreed and Adjudged by the *Prelates*, *Earls*, *Barons*, *Nobles*, *Great Men*, and the *whole Council* of both Kingdoms, That the Kingdom ought to be Poſſeſſed by One Heir alone, becauſe of it's own Nature it was Impartible, as other Kingdoms; for theſe Reaſons therefore it was Adjudged, and Judicially declared by the King, That he ſhould gain nothing by what was ſet forth in his Petition.

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† *Ibidem.*

† The ſame Judgment had *John Haſtings*, and for the ſame Reaſons, That he neither ſhould not obtain any thing by his Petition.

* *Ibidem.* The Right of *Baliol* again Examin'd.

And Judgment is given in his Favour.

Whereupon the King adjudges, That he ſhould Enjoy the whole Kingdom of *Scotland*, reſerving to Himſelf his Right of Superiority, *&c.*

* But as to the Petition of *John Baliol*, who demanded the Whole Kingdom as his Right, the King cauſed it again to be Examined, and that for ſeveral Days, by the Council of both Kingdoms; and after a full Diſcuſſion, it was Found, Adjudged, and Agreed, by all the *Noblemen*, *Prelates*, *Auditors*, and *Wiſe Men*, of both Nations, That the Kingdom of *Scotland* was Impartible, and ought to remain to One Heir; and becauſe the King was Judge of the Right of his Subjects, by the Laws and Cuſtoms of both the Kingdoms, which was Approved and Affirmed by all the Noblemen and Prelates of both Kingdoms, and by the ſame Laws and Cuſtoms, in the Caſe before them; it was Agreed and judicially Declared in Favour of *John Baliol*, That the more Remote by Deſcent in the Firſt Line, was to be preferred to a Nearer in the Second Line, in the Succeſſion of an Impartible Inheritance; and ſince none of the Competitors denied him to be Heir of the Firſt Line, therefore he was to be preferred before all Others, as next Heir to the Kingdom of *Scotland* by Hereditary Succeſſion: Whereupon, the King of *England*, as Superior and Direct Lord of *Scotland*, Adjudged, That the ſaid *John Baliol* ſhould Recover and have Seiſin of that Kingdom, with all it's Appurtenances, according to the Form of his Petition, upon Condition, *That he ſhould Rightly and Juſtly Govern the People ſubject to him, that none might have Occaſion to Complain for want of Juſtice; nor the King as Superior Lord of that Kingdom, upon the Suit of the Parties, be hindred to interpoſe his Authority and Direction, a Right which the King of* England, *and his Heirs always reſerved in ſuch Caſes, when He would make uſe of it.*

* *Ibidem.* And he has a Writ of Seiſin and Poſſeſſion delivered to him accordingly.

† *Ibidem.*

And * accordingly, King *Edward* gave him his Writ of *Seiſin*, or Poſſeſſion, for the Kingdom of *Scotland*, directed to *William* and *Robert* Biſhops of St. *Andrews* and *Glaſcow*, *John Comyn*, *James Seneſchal* or Steward of *Scotland*, and *Bryan Fitz-Alan*, his Guardians of the Kingdom of *Scotland*, to deliver Him Seiſin thereof, with it's Appurtenancies, **Saving** the Right of Him (the King) and his Heirs; dated at *Berwick* the 19th of *November*, in the Twentieth Year of his Reign; which indeed was a Miſtake of the Clerk, for it ſhou'd have been the Twenty firſt, He beginning his Reign † *November* the 16th, 1272. With this there were alſo other Writs of the ſame Date, directed to the ſeveral Caſtellans, and Governours of Caſtles in *Scotland*, to give him Poſſeſſion of them.

* *Ibidem.* And he then Swore Fealty to King *Edward* as his Liege Lord.

Whereupon he is put into Poſſeſſion of the Kingdom.

* *Rot. de ſup. Scotiæ, m.* 33.

* The next day being the Twentieth of *November*, *A. D.* 1292. in the very beginning of the Twentieth Year of the Reign of King *Edward*, being then at *Norham*, *Baliol* Swore Fealty to Him, as his Leige and Superior Lord of the Kingdom of *Scotland*. In Teſtimony whereof, He made to King *Edward* his Letters Patents of the ſame Date: His Oath of Fealty, and theſe Letters Patents are to be found both in *Latine* and *French* in this Record, as you will find by and by. This being perform'd, the new King *John* went into *Scotland*, and there was put into the actual Poſſeſſion of the Kingdom at the Monaſtery of *Scone*, * where on *St Andrew*'s day he was placed in the Royal Throne, according to the Cuſtom of *Scotland*. *Duncan*, Earl of *Fife*, ought to have placed him therein; but being under Age, *John de St. Johnſtown* was de-

puted by King *Edward*, to perform that Ceremony in the Earl's ſtead; and He was alſo at the ſame time Crown'd King.

Then on *St. Stephen*'s day (being the Twenty Sixth of *December*, and the Twenty First of King *Edward*'s Reign) the King of *Scots* did Homage to Him at *New-Caſtle*, after this Form in *French*, but I will give it you in *Engliſh*. * *My Lord* Edward *King of* England, *Superior Lord of the Kingdom of* Scotland, *I John King of* Scotland, *become Your Leige Man (or Vaſſal) for the whole Kingdom of* Scotland, *with it's Appurtenances; which Kingdom I claim and hold, and ought of Right to hold for Me, and my Heirs, Kings of* Scotland; *Hereditarily of You and Your Heirs, Kings of* England; *and ſhall bear Faith to You and Your Heirs, Kings of* England, *of Life and Limb, and Terene Honor, againſt all Men that may Live and Dye.* And of this Homage, He made his Letters Patents of the ſame Date. This was Witneſſed by Sixteen Biſhops, the Judges, and the *Greateſt* Men of *England*, and Twenty of the ſame Quality of *Scotland*, who at his Requeſt put to their Seals.

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* *Rot. eod.*

King *Baliol* does Homage to King *Edward* at *New-Caſtle*, with the Form of it.

All which Tranſactions ſtill remaining upon Record in the *Tower* of *London*, may ſerve as a ſufficient Juſtification of the Sincerity of King *Edward*'s Proceedings in this Great Affair, and that all things were tranſacted in the face of the World, and by the common Conſent of the Major part of the *Auditors*, or Commiſſioners that were appointed both by *Bruce* and *Baliol* to enquire into each of their Titles; and King *Edward*, having given Sentence according to the Major part of their Suffragans, it was alſo accepted of, and confirmed by the common Conſent of the Clergy, Nobility and Commonalty of *Scotland*: And therefore * *Hector Boethius*, and thoſe other Hiſtorians, are by no means to be credited, who relate, That the King uſed Violence to the ſaid Commiſſioners, to obtain their Votes; and further proffered *Robert Bruce* the Kingdom, upon Condition, he would own his Superiority over *Scotland*, and do Him Homage for it; whereas it plainly appears by the abovementioned Inſtrument, that was Sealed by all the Competitors that he owned King *Edward*'s Seigneury, or Supreme Dominion over the Kingdom of *Scotland*, before ever he entred upon the Deciſion of that Controverſy; and therefore if *John Baliol*, did now do Him Homage for that Kingdom, it was no more then a Conſequence of that Right, which all the Competitors had already acknowledged, and which *Bruce* himſelf had been obliged to have performed, in Caſe the King had thought fit to have given Judgment in his Favour.

A breif Juſtification of the King's Proceedings in this Affair.

* *Lib.* 13. *Buchan. Lib.* 8. *Leſlæ. Lib.* 6.

With a Confutation of the *Scotiſh* Hiſtorians falſe Relations of it.

Not that I will Juſtify all that the King did in the beginning of this Affair, in ſo ſtrictly inſiſting upon his Supreme Dominion over all *Scotland*, which the Eſtates of that Kingdom, and the Competitors for the Crown, either could not or durſt not then contradict. But ſince I have ſaid enough concerning this Subject in my *Introduction*, I forbear any further mention of it here, and therefore ſhall proceed in our Hiſtory.

But this good Underſtanding between King *Edward* and his new Feudataries, the King and Nobility of *Scotland*, did not laſt long; for within Four days after the Homage done in a manner as you have heard; * upon a Complaint made to King *Edward*, by *Roger Bartholomew*, Burgeſs of *Berwick*, againſt ſome of his Officers or Judges, by Him de-

* *Ibm.*

The King receives a Complaint from a Burgeſs of *Berwick*, who thereupon Orders Commiſſioners to hear it.

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puted into *Scotland*: He preſently appointed his Juſtices there preſent, *Auditors* of the ſaid Complaint, (whereof *Roger Brabazon*, Chief Juſtice of the King's Bench, was One) ſtrictly Commanding them, That they ſhould do quick Juſtice, according to the Laws and Cuſtoms of his Kingdom; before whom and others of the King's *Council*, there was a Petition then Exhibited on behalf of the King of *Scotland*, by his Advice and Direction, by *William* Biſhop of *St. Andrews*, *John* Earl of *Boghan*, *Patrick de Graham*, *Thomas Randolph* and other *Great* Men of that Nation, ſetting forth, That whereas the King of *England* and Superior Lord of *Scotland*, had lately * promiſed to the Noblemen and Prelates of that Kingdom, *That He would obſerve the Laws and Cuſtoms thereof, and that Pleas of things done there might not be drawn out of it*: They therefore beſeeched the King of *England* and his Council there preſent, in the Name of the King of *Scotland*, That He would pleaſe to obſerve his Promiſe, and command his Officers firmly to do the ſame.

Which is Petitioned againſt, by divers Noblemen, on behalf of the King of *Scots*.

*(Viz.) In the 8th Year of his Reign, in the Treaty of Mariage between his Son *Edward* and the Young Queen of *Scotland*, the 4th Article.

Whereupon † *Roger Brabazon*, the Chief Juſtice, anſwered this Petition as followeth: That it ſeemed unneceſſary and not to the purpoſe, for that it was manifeſt, and ought to be ſo, to all the *Noblemen* and *Prelates* of the Kingdom, That the King had performed all his Promiſes, and not acted contrary to any of them; and as to the Complaints concerning his Judges and Officers, lately deputed by Him, as Superior and Direct Lord of that Kingdom, and who did then repreſent his Perſon, the Cogniſance of all Complaints concerning them, belonged only to Him and no Other, and He had eſpecially reſerved it to Himſelf; as alſo, becauſe in Judgments of the Superior Lord, or of thoſe that repreſented his Perſon, no Subjects could pretend to them; and further ſaid, *That if the King of* England *had made any ſuch Temporary Promiſes, when there was no King in* Scotland, *He had performed them, and that by ſuch Promiſes, He would not now be reſtrained or bound.*

† *Ibm.* The King's Chief Juſtice refuſes this Petition, and his Reaſons for it.

* And the King of *England* made Proteſtation before all the *Noblemen* and *Prelates* of both Kingdoms then preſent, *That notwithſtanding any ſuch Temporary Promiſes and Conceſſions, He did not take Himſelf to be bound thereby, His Proteſtations otherwiſe publickly made, remaining in Force; and that He intended, and would admit and hear all Complaints whatſoever, and all other Buſineſs touching the Kingdom of* Scotland *and it's Inhabitants, by reaſon of his Superiority and Direct Dominion, which He had, and of Right ought to have, in that Kingdom, as his Progenitors in their times had, if they Lawfully, and for Juſt Cauſes came before Him; and upon thoſe Complaints every where, and at all times, if He pleaſed, to do them Juſtice; and to uſe and exerciſe his Superiority and Direct Dominion, and to call the King of* Scotland *Himſelf, if it were neceſſary, and the Quality of the Cauſe required it, to appear before Him in His Kingdom of* England.

* *Ibm.* The King makes Proteſtation, that He would not be bound by any Temporary Promiſes; and inſiſts on his Right of hearing all Complaints, as Superior Lord of that Kingdom.

From whence we may obſerve, that the King now openly declared, That He would not be ſtrictly tyed to the Conceſſions He had formerly made to the States of *Scotland*, farther than He Himſelf thought fit; and alſo that He would Advance his Real or Pretended Right to the Supreme Dominion of *Scotland*, to a higher Pitch than any of his Predeceſſors had indeed ever yet claimed or exerciſed; which produced a long and bloody War, as you will find anon. But to proceed to the reſt of the Relation in the ſame Record.

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* Upon this Reſolution of King *Edward*, and the Anſwer of the Juſtices to the Petition, it is there recited, That *John* King of *Scotland* acquitted Him of all *Promiſes*, *Bargains*, *Agreements*, and *Obligations* He had made to the *Guardians* and others of the Kingdom, while by Reaſon of the Superiority of his Dominion, He held the Kingdom of *Scotland* in his Hands, and eſpecially the * Grant and Inſtrument made at *Northampton* the Twenty eighth day of *Auguſt*, in the Eighteenth Year of his Reign; in which the Promiſes and Grants ſet forth in the Petition were contained, with a Confeſſion, that they had been all perform'd, when He had adjudged and fully delivered the Kingdom to Him; which Releaſe or Acquittance was Sealed with the King of *Scotland*'s own Seal, and confirmed with the Seals of the Biſhops, Earls, Barons, and other Noblemen of his Kingdom, and is Dated the Second of *January*, 1293. being the Twenty firſt Year of King *Edward*'s Reign, and the Firſt of *John* King of *Scotland*; but whether the *Scots* did this freely, or becauſe they durſt not do otherwiſe, is very much to be doubted.

* *Ibm.*
John King of *Scotland*, acquits King *Edward* of all his Promiſes, *&c.*
* *i. e.* The Articles of Mariage above-mentioned.

But that which exaſperated the King of *Scots* to that Degree as He never forgave it, was, that within a ſhort time after this Proteſtation and Releaſe, a troubleſome Affair began in *Scotland*, which being the Original of that unhappy War that not long after enſued, I ſhall therefore give you the whole Proceſs of this Cauſe, * from the above-cited Record, as alſo from * *Ryley*'s *Placita Parliamentaria*; and *Pryn*'s Third Volume of his Hiſtory of *Papal Uſurpations*: *Macdulff*, Earl of *Fiſe*, not long after brought a Complaint or Appeal for certain Lands, againſt *John* King of *Scotland*, before King *Edward*, as Supreme Lord of that Kingdom; who thereupon without any delay directed a certain Writ or Letter Miſſive to be delivered by the Sheriff of *Northumberland*, Summoning him to appear before the King on the Morrow after *Holy Trinity*, [4] wherever He ſhould be in *England*, to Anſwer what *Macdulff* had to ſay againſt Him: But the ſaid King not then appearing, King *Edward* directed another Writ to the Sheriff, to Summon Him to appear before Him in his Parliament at *Weſtminſter*, Fifteen days after *Michaelmas*, to anſwer as before. The Earl of *Fiſe*'s Complaint was, That when King *Edward* was laſt at *Berwick*, He had Commanded *William*, Biſhop of *St. Andrews*, and his Fellow Guardians of the Kingdom of *Scotland*, that they ſhould do Right to *Macdulff*, concerning his Lands and Tenements of *Rerys* and *Crey*, of which he had been Diſſeiſed by the ſaid Biſhop as *Guardian* of *Fiſe*, of which according to the Precept he had recovered Seiſin by the Judgment of the other Guardians: After which, *John* King of *Scotland* Diſſeiſed him again of the ſame Lands and Tenements; and that he might not farther proſecute his Right, impriſoned him, and cauſed an unjuſt Judgment to be given againſt him, in contempt of the King of *England*, Superior Lord of *Scotland*, and to his own Great Damage.

* *Rot. de Sup. Scotiæ, p.* 154, 155.
The King's receiving the Appeal of *Macduff*, Earl of *Fife*, exaſperates the King of *Scots*, againſt King *Edward*.
[4] *Ryley Placita Parl. f.* 154, 155.
The King of *Scots* is again Summoned to appear before the King, with the Subſtance of *Macduff*'s Complaint.
Ibm. f. 157.

Upon which Summons, the King [5] of *Scots* appeared before the King and his Council in his Parliament, after *Michaelmas*, and denied all Contempt of the Lord the King, and ſaid, *He had no Day to Anſwer the ſaid* Macdulff; who replied, *He had that very Day appointed him to Anſwer*, [1] by the King's Writ delivered to him by the Sheriff of *Northumberland* at *Strivelin*, on the Morrow after St. *Peter ad vincula*, (that is, the 2d of *Auguſt*) which ſufficiently appeared by the Return of

[5] *Ibm. f.* 158.
The King of *Scots* appears before the King in Parliament.
[1] *Ibm. Fol.* 154. 155.

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of the Sheriff; and the King of *Scots* being asked, Whether he had the Writ delivered to him by the Sheriff? confeſſed it; and being then urged to Anſwer; * he ſaid, *He was King of* Scotland, *and that he durſt not Anſwer to* Macdulff*'s Complaint, or any thing that concern'd his Kingdom, without the Advice of his Subjects.* Then *Macdulff* demanded Judgment againſt him, as Pleading nothing conſiderable: Upon which, † He was told by the King, That he was his Liege-Man, and had done Him Homage and Fealty for the Kingdom of *Scotland*, and was Ordered to come thither to Anſwer, or ſay, Why he would not, or ought not to Anſwer before Him; but he ſaid as before, *That He could not, nor dare Anſwer to any thing that concern'd his Kingdom, without conſulting his People:* Whereupon he was told, He might require another Day; he Anſwered, He would require none. It was then Agreed, That the Principal Plea belonged to the King, and that he made no Defence againſt *Macdulff*; * and becauſe he would not require another Day, nor ſhew Cauſe why he ought not to Anſwer, it was adjudged a Contempt and Diſobedience in him, in Eluſion of the King's Juriſdiction and Superiority; and that Three of his principal Caſtles of *Scotland*, ſhould be Seized into the King's Hands, and ſo remain till he had given Satiſfaction for his Contempt and Diſobedience.

Ibidem. f. 158. But refuſes to Anſwer the Complaint of *Macdulff*, without the Advice of his Subjects.

† *Ibid.* f. 159.

* *Ibid.* His denying to Anſwer is adjudged a Contempt.

But before the Pronounciation of the Sentence, he came before the King and his Council, and made Supplication to the King with his own Mouth, and delivered it unto Him with his own Hand in Writing, to this effect.

Yet upon his Supplication he has longer time given him till the next Parliament to put in his Anſwer.

SIR,

I Am Your Liege-Man for the Realm of Scotland, *and pray You, as to what I am come hither, and for which concerns the People of my Kingdom, as well as my Self, that You would forbear me, while I ſpeak with them, that I may not be Surprized for want of Advice; for that thoſe that are with me, will not, nor ought, to Adviſe me without Others of the Realm; and when I have Advice from them, I will Anſwer at Your Firſt Parliament after* Eaſter, *and will behave my Self towards You as I ought to do.*

The King Adviſing hereupon, at the Inſtance of the Great Men of his Council, and with the Conſent of *Macdulff* himſelf, granted his Petition, and gave him a longer Day until his next Parliament after *Eaſter*, that ſhould be holden on the Morrow of the *Holy Trinity*. This is all that can be found in *Ryley*'s Pleas of Parliament concerning this Caſe: And we ſhall defer giving you a further Account of this Affair until we come to the enſuing Year.

Only for a Supply and Illuſtration to this Record, I ſhall here add what I find in a Manuſcript [2] Chronicle of this time written, by a Monk of St. *Alban*'s, who gives a large and exact Relation of all theſe Proceedings with the King of *Scots*, (being much the ſame with thoſe upon Record in the Tower.) And this Author farther ſays, That juſt before that King came to this Parliament at *London*, the *Scotiſh* Nobility choſe Twelve Peers to Govern that Kingdom in his Abſence; and that not long after his Appearance at the ſaid Parliament, he withdrew himſelf from thence, without taking any leave of the King; which ſo incenſed him, that He cauſed all King *Baliol*'s Eſtate in *England* to be Seized into his Hands.

[2] *In Bib. Cot. Claudius D. 6.* The King of *Scots* withdrew himſelf from this Parliament without the King's leave, who thereupon orders his Eſtate in *England* to be Seized.

Having

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Chron. ad hunc An.

Having now done with the *Scotiſh* Affairs for a time, I ſhall return to thoſe of *England*; and for this purpoſe, give me leave to look back to the beginning of this Year, when (as *Thomas Wykes* relates) the King returning to *London* from his *Scotiſh* Journey, about a Month after *Eaſter*, came to his Parliament, which He found already Aſſembled, conſiſting of the Biſhops, Earls, Barons, and *A great number of Others of his Kingdom*: By which laſt Expreſſion, I here underſtand the Repreſentatives of the *Commons*, which would more plainly appear, were not the Writs of Summons to this Parliament taken off from the Clauſe Rolls; but I take this to have been the ſame Parliament as that laſt mention'd, and in which our Author tells us, The King conſulted with them concerning the Peace of his Kingdom, and (as *Hemingford* alſo tells us) how to Manage the War with *France*, that a little before began to break out.

Chron. MS. Walter Hemingford *ad hunc An.*

A Relation of the Cauſes of the War with *France*.

It is time we now relate the Original and Progreſs of this War, which broke out this Spring upon a very ſlight Occaſion, and *Thomas Walſingham* and other Writers give to this purpoſe: That a certain *Norman* Mariner, quarrelling with an *Engliſhman*, who ſhould firſt take Water at a Spring on the Coaſt of *Normandy*, the *Norman* being killed in the Fray, the reſt of the *French* Mariners follow'd the *Engliſhman* to kill him, who being defended by his Comrades repulſed the *Normans*; and they thereupon made their Complaints to *Philip* King of *France*, who commanded them that they ſhould revenge the Death of their Companion upon whatſoever *Engliſhmen* they met with: From which raſh Command, there began firſt a deſperate Conflict between the Mariners of both Nations; which afterwards ended in a War between the Kings of *France* and *England*: For tho' our Writers differ in ſome Circumſtances in theſe Tranſactions, yet they agree in the Main, That not long after, certain *Norman* Veſſels meeting with Six *Engliſh*, ſet upon them, and not only took two of them, but Hanged the Men (together with ſome Dogs) upon the Main-Yard; at which barbarous Action the Inhabitants of the *Cinque-Ports* being grievouſly Provoked, and reſolving to be Revenged, ſailed out in perſuit of the *French*, whom not finding in the open Sea, they met with in the Haven of *Swyne*, in *Flanders*, and there Aſſaulting them, ſunk Six Veſſels, and carried away as many more, with a great Slaughter of the *French*; after which followed ſeveral Petty Sea-Fights, with much Effuſion of Blood, till at laſt the *Engliſh* Ships routed a great *French* Fleet, and took about Two hundred and forty Veſſels, all laden with Wine and other Merchandizes. But ſome [3] of our Hiſtorians relate this Matter more particularly, *viz.* That the Merchants of *England* having ſuffer'd many Loſſes and Injuries by the *French*, made their Complaints to the King, deſiring ſome Redreſs; who thereupon diſpatched *Henry de Lacy*, Earl of *Lincoln*, his Ambaſſador to the King of *France*; propoſing to Him, That ſince ſome Differences were riſen between them, they ſhould leave it to their reſpective Councils to conſider and agree upon ſome Expedient to Remedy them; but whilſt the Earl was expecting his Anſwer, it happened that a great Fleet of *Norman* Veſſels being bound for *Gaſcoigne* to fetch Wines, fell upon, took and deſtroyed whatſoever *Engliſh* Veſſels they met, together with their Men; Whereupon the Inhabitants of the *Cinque-Ports* ſetting out a great Fleet of Sixty Sail, conſiſting of the Ships of thoſe Ports and other Places, they ſail'd to meet the *French* in

Chron. Abing. *Chron. W. H.*

Certain *Norman* Veſſels take ſix *Engliſh*, and hang the Men, for which the Seamen of the *Cinque* Ports take a ſevere Revenge.

[3] *T. W.*

The King ſends the Earl of *Lincoln* into *France*, but without any Effect.

A Fleet from the *Cinque Ports* ſet upon and deſtroy that of *France*.

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in their return, and ſinding them laden with Wines in the Port of St. *Matthew* in *Britany*, they ſet upon, took and deſtroyed the whole Fleet, together with above Fifteen Hundred Men, few eſcaping, but what got off in *Cock-Boats*. This done, The *Engliſh* return'd home with their Booty a little before *Whitſontide*. *Matt. Weſtminſter* relates this as only done by the King's Permiſſion, and not Command; and therefore that He would not meddle with any of the Booty.

The King of *France* is highly incenſed at it, and ſends to demand Reſtitution.

* *Curia ſua.*

King *Edward* makes very fair Propoſals for an Accommodation, but they are refuſed by the *French* King.

This Victory, as it gave great Satisfaction to the *Engliſh*, ſo it as highly Provoked the *French* King and his Council, who preſently thereupon diſpatched Ambaſſadors to the King of *England*, demanding, Immediate Reſtitution of all the *French* Ships and Goods, if He intended to hold any thing in *Gaſcoigne*; wherefore the King taking Advice of his Council, ſent *Richard Fox* Biſhop of *London*, and ſeveral diſcreet Perſons to the King of *France*, with an Anſwer to this Effect: 'That ſince the King held his * Court, or Great Council, Subject to none whomſoever; if therefore any Perſons found themſelves Injured or Aggrieved by his Subjects, they might repair thither, and having ſet forth their Injuries, the King would thereupon order them a ſpeedy Relief; And that they might the more ſafely do ſo, the King would grant Letters of Safe-Conduct to all ſuch Complainants: But if this did not pleaſe the *French* King, then certain Arbitrators or Commiſſioners appointed by each Prince, ſhould conſider the Damages done and ſuffered by both Nations, and then Ordain what Satisfaction they ſhould make to each other; And the King of *England* offer'd to Bind Himſelf in an Obligation to ſtand to their Award, provided the King of *France* would do ſo likewiſe: But if any thing ſhould Occur of ſo great difficulty, that it could not be decided by theſe Arbitrators, then it ſhould be left to the Determination of both Kings; And in ſuch caſe, the King of *England* having firſt the *French* King's Safe-Conduct, would attend Him at any Maritime Town the King of *France* ſhould appoint; and there by mutual Conſent put an end to all Differences: And if the King of *France* ſhould not like this, That they ſhould then Agree, to refer it to the Pope, whoſe Intereſt it was to maintain Peace between the two Crowns: And ſince the Papal See was then Vacant, (for Pope *Nicholas* the *Fourth* had deceaſed the laſt Year) That it ſhould be then referred to ſome or all of the Cardinals, and after they had determined this Controverſie, the former Peace and good Correſpondence ſhould be renewed between the two Kings, and their Subjects.

[5] *T. W.*
[1] *T. Wi.*
The King of *France* refuſes King *Edward*'s Propoſal.
[2] *M W.* *T. W.*
And ſends a Herald to *Agen* to Summon him to *Paris*, to anſwer for what he had done.

But the King of *France* refuſed all theſe reaſonable Propoſitions, [5] neither would He ſo much as Vouchſafe to return any Anſwer to King *Edward*'s Ambaſſadors; but [1] being tranſported with Paſſion, preſently Summoned a Parliament, or Aſſembly of the Eſtates, wherein it was agreed, That no *Engliſh* Commodities whatſoever ſhould be brought into *France*, nor any *French* ones tranſported into *England*; by which means all Things of the Growth of that Kingdom became extreamly Scarce and Dear in this, which proved very detrimental to the Trade of both Nations. Nor was the King of *France* contented to ſtop there, [2] but He ſent certain Heralds to the City of *Agen*, belonging to the Dutchy of *Acquitain*, with Letters to Summon the King of *England* to appear at *Paris* at a certain Day prefixed, there to Anſwer the Injuries and Rebellions which He had committed: And King *Edward* not ap-

pearing

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pearing at the time appointed, the *French* King ſitting upon his Throne, did himſelf in Perſon give Sentence againſt King *Edward*, as Contumacious, and Adjudged all his Territories in *France* to be Seized, as Forfeited to the Crown; And for the Execution of this Decree, He ſent *Raowlle de Neſle* his Conſtable into thoſe Parts, to reduce them to his Maſter's Obedience; but he found no great Succeſs at firſt; for King *Edward* had a little before ſent over *John de St. John*, a diſcreet, valiant, and experienced Commander, who ſo well Victualled and Gariſoned the Towns and Caſtles in *Guienne*, that they were able to reſiſt the Conſtable's Aſſaults. But King *Edward* ſtill endeavoured to pacifie the King of *France* by all means poſſible, and to that end, by his Letters, gave his Brother Earl *Edmund*, (who was then in *France*) full Power to make Peace with Him, upon ſuch Conditions as might prove ſatisfactory to the *French* King, and not be diſhonourable to Himſelf.

And ſends his Conſtable into *Guienne* to reduce that Province, but is prevented.

Yet the King ſtill deſires Peace by his Brother Earl *Edmund*.

But the Earl, after many Treaties held in vain about this Affair, was at laſt fain to return towards *England* without making any Agreement between theſe two Princes.

Who is fain to return towards *England*.

This is the Account which *Nicholas Trivet*, who lived and wrote near theſe times, gives us concerning the firſt Occaſion of this War, and from whom *Thomas Walſingham* has borrowed all that is conſiderable, word for word; and this ſeems highly probable, ſince it was not for King *Edward*'s Intereſt at that time to begin a War with *France*, whilſt the *Scotch* Affairs were yet very unſettled.

Therefore it is moſt likely, That King *Philip*, envying our *Edward*'s Grandeur, in having thus obliged the King and Kingdom of *Scotland* to acknowledge his Superiority over them, was thereupon reſolved to take the firſt opportunity of humbling King *Edward*, by Seizing his Dominions in *France*, thereby to render Himſelf ſafe from that exceſs of Power, which by the nearer Dependence of *Scotland* upon the Crown of *England* muſt now neceſſarily accrue to Him.

But ſince *William de Nangis*, in his Chronicle of *France*, and *Paulus Æmilius*, in his Hiſtory of the *French* Kings, have given us far different Accounts of the Original and Progreſs of this War, I ſhall (that I may not be thought Partial) here alſo ſet down, what they have related concerning it: The former of whom places the beginning of this War under the Year before, and ſays, That *Edward* King of *England*, making great Preparations as if it were for the *Holy Land*, out of a preconceived Malice had by ſome of his Subjects of the City of *Bayonne*, (which joyned with ſome other Ships of King *Edward*'s Dominions) in Hoſtile manner Aſſaulted the Subjects of King *Philip* of *France* belonging to *Normandy* and other Places, cruelly deſtroying many of the Men, and carrying the reſt, together with their Ships, Priſoners into *England*.

Ad hunc An. The Account the *French* Hiſtorians give of the Cauſes of this War.

And further, That ſome other Subjects of the King of *England* Aſſaulted *Rochel*, a Town of the King of *France*'s, killing ſome of the Townſmen, and doing a great deal of Damage to it, which when King *Philip* had heard, He ſent to the King of *England*, and his Lieutenants in *Gaſcoigne*, that they ſhould ſend a certain number of thoſe Malefactors Priſoners to the City of * *Periguex*, to have ſuch Satisfaction from Him, as Reaſon and Juſtice required; but the King's reaſonable Demand being Contumaciouſly neglected, He thereupon cauſed all *Gaſcoigne* to be Seized by his Conſtable *Raowlle de Neſle*; and moreover cited King *Edward* Himſelf to appear at his Parliament at *Paris*.

* *Petragorum.*

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The Succeſs of the Conſtables Arms in *Acquitain.*

Paulus Æmilius is more Brief in his Relation, and omitting the Injuries done to the King of *France*'s Subjects in *Gaſcoigne*, imputes the beginning of the War to the *Engliſh* Ships taking ſeveral Prizes upon the Coaſt of *Normandy*; for which King *Philip* demanding Satiſfaction, but not obtaining it, He cited the King of *England* as a Peer of *France*, as has been already ſaid; who not appearing upon Summons, the Conſtable of *France* (above mentioned) being ſent into *Acquitain*, took the City of *Bourdeaux*, and all the other Caſtles and Towns, except ſome few which were kept by ſtrong *Engliſh* Gariſons; but ſome of theſe the ſaid Conſtable, and *Charles* Count of *Valois*, the Kings Brother, afterwards reduced, which Actions though mentioned here, were not performed till the Year following. But to return to our own Affairs.

[3] *T. W.* *Eleanor* the King's Daughter married to the Earl of *Barr.*

In *England* nothing elſe happened conſiderable, only *Eleanor*, the King's eldeſt Daughter, was this Year married at *Briſtol* to *Henry* Earl of *Barr*, by whom he had a Son called *Edward*, and a Daughter *Margaret*, who was afterwards Married to *John* Earl of *Warren* and *Surrey*.

[4] *An wig. Ang. Sacra Vol.* 1. Archbiſhop of *Canterbury* deceaſing is ſucceeded by *Robert Winchelſey*

As to Eccleſiaſtical Affairs, [4] *John Peckham* Archbiſhop of *Canterbury* (a Prelate of a moſt Monklike and Mortified Life) deceaſing in *December* laſt Year, *Robert Winchelſey* Arch-Deacon of *Eſſex* was, in the beginning of *February* following, Elected Archbiſhop by the Monks of *Canterbury*; but was not Confirmed by the Pope, nor Conſecrated, until *September* the next Year.

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[5] *Chron. de Norwich in Bib. Cotton* The King wanting Money Seizes all the Wool and Hydes that lay ready to be tranſported, giving the owners Tallies for them.

The firſt thing I find done this Year worth our Notice, is, That the King being much put to it, for want of Money to recover his Territories in *France*, and to ſubdue the *Welſh*-Men, [5] who were then in Rebellion, did about the end of *July* iſſue out Writs to all the Sheriffs of *England*, Commanding them to ſeize all the Wool and Tanned Hydes for the King's uſe, which were about to be Tranſported beyond Sea, and to give the owners Tallies for the Money due for them; the Form of which Writs (bearing date the Six and Twentieth of *July*) you may find in the *Appendix*. But this way of Proceeding being very Arbitrary and contrary to Law, created the King much ill will and diſcontent among his Subjects, to whom it was very Grievous.

[1] *Id Ib.* The King Summons a Parliament and Demands an Aid.

* *Rot. Clauſ.* 22. *Ed.* 1 *m.*6 *dors.*

The Clergy granted a Moiety of their Goods though with great Difficulty.

* *M W.*

Yet to give the Nation ſome Hopes of Satiſfaction, He alſo about the ſame time (being then at *Portſmouth*) iſſued out other * Writs to Summon a Parliament to meet at *Weſtminſter* on the Twelfth of *November*, being the morrow after St. *Martin*. The Buſineſs was to conſult with, and demand an Aid of them, for the War now like to break out with *France*; And there was a Convocation alſo held about the ſame time; wherein the Biſhops and Clergy gave a Moiety of all their Goods both Eccleſiaſtical and Temporal, as appears by the King's Writ for the Collecting of it, to be found in the ſame Author; who farther adds, That though the Biſhops ſeemed willing to grant it, yet the Major part of the Inferior Clergy ſtill ſtood it out; till the King hearing of it, ſent certain Knights into the Room * where the Procurators of the Clergy were then aſſembled (being the Refectory of the Monks of *Weſtminſter*) where one of them, Sir *John de Havering*, thus accoſted them on the King's behalf; *It is His Majeſty's Pleaſure, that you now grant Him half of your Revenues; and let him that dare contradict this, come forth and ſhew himſelf, that he may be known*: Upon

which

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|| *Chron. Nor.*

which the leſſer Prelates and Proctors for the Clergy being affright'ned at, they immediately complied with the Kings Demands; and though much againſt their Minds, || yet they were forced to give up their own to the King's Will; who, however, in gratitude for what the Clergy had now done, granted them a particular Writ of *Protection*, the Form of which you may find in the Manuſcript Chronicle here cited.

* *Ad hunc An. MS. in Officio Armor.*

* *i. e.* The Monks.

**John Everſden* alſo agrees with theſe Authors in the ſubſtance of this Tranſaction, and relates, That the King in his Parliament at *Weſtminſter*, held the morrow after *Michaelmaſs* (which is a miſtake for *Martinmaſs*) forced and violently induced the Prelates with their Clergy and * Religious, to yield up a Moiety of all their Goods both Spiritual and Temporal, according to a Rate or Taxation lately ſet forth, to be paid at three different Terms within one Year, amounting to no leſs than 180100 l. a vaſt Sum in thoſe days.

Regiſt. Johani Roman. Arch. Ebor. f. 27. Printd in Dr. *Wake's* Appendix to his State of the Church p. 21. 22.

Who thoſe *Inferior* Clergy then were that joyned with the Biſhops in granting this great Tax, appears by the King's Writ, recited in the Mandate of *John* the *Roman* Archbiſhop of *York*, to ſummon the Clergy to this Convocation, *viz.* 'The Dean and Archdeacons in their proper Perſons, and the Chapter of his Church by one *Proctor*, and the *Clergy* by two of the ſitting *Proctors*, ſufficiently impowered by the ſaid Chapter and Clergy, to be preſent with the King, and to treat, ordain, and act for them, according as ſhall be provided by the common Advice of themſelves and the reſt of the Prelates, Deans, Archdeacons and Proctors.

This deſerves your particular Notice, as being the firſt Example of the King's Writ to Summon the *Proctors* of the *Inferior* Clergy, as well as the *Deans* and *Archdeacons* to a *Convocation*; but that they met at the ſame time with the Parliament, I very much doubt, notwithſtanding the Authority of the *Manuſcripts* here cited, ſince the Writs (which are ſtill extant) Summon them to meet on the Feaſt of St. *Matthew*, or 21ſt of *September*, whereas thoſe for the Parliament appoint it to meet at *Weſtminſter* on the morrow after *Martinmaſs*, which is above ſix weeks after the Time that the Convocation was to meet at the ſame Place.

[2] *T. W.*

Earl *Edmund* is ſent for back to renew the Treaty with *France*.

Which ſeems concluded upon certain Conditions.

But to come to Foreign Affairs; this Summer Earl *Edmund*, the King's Brother, and late Ambaſſador to *France*, being on his Journey towards the Sea-ſide in order to return home, had been recalled by a Meſſage from *Joanna* the Queen Conſort, and *Mary* the Queen Dowager, who proffer'd by their Mediation again to reaſſume the former Treaty of Peace between the two Kings: And then after ſeveral Conferences it was at laſt agreed, That for the Honour and Security of the King of *France*, who (as he pretended) had been much injured by the King's Officers in *Gaſcoigne*, Six of the King's ſtrongeſt Caſtles in thoſe Parts, (*viz. Xainctes*, *Tallemund*, *Tourn*, *Pomerel*, *Penne* and *Mountflaunkon*, ſhould be delivered up into the King of *France*'s hands by way of Sequeſtration till Matters could be adjuſted; and that in all Cities and Caſtles of the whole Dutchy (except *Burdeaux*, *Bayonne*, and *la Reole*) one of the King of *France*'s Officers ſhould be appointed there to preſide in his Name: And farther, That of thoſe Miniſters and Officers which belonged to the King of *England* in *Gaſcoigne*, the *French* King might chooſe which He would of them for Hoſtages for the due Performance of the Articles of Peace, that were to be made between them.

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[3] *Id. Ib.*

And theſe things being perform'd, the King of *France* was thereupon to recal both his Citation and Sentence, which had been given againſt King *Edward* at the Parliament at *Paris*; and then the King of *England*, firſt having obtain'd Letters of Safe-Conduct, was to go over to *Amiens*, and there, upon an Enterview with the King of *France*, a firm Peace was to be concluded between them, and then all Caſtles were to be reſtored, and the *French* King's Officers removed out of all the Cities and Caſtles, and the Hoſtages were alſo to be delivered upon the Interceſſion of One or Both of the Queens; which Articles being reduced into Writing, one part ſigned by the ſaid Queens was to remain with Earl *Edmund*, and the other part their Majeſty's were to keep, who promiſed the ſaid Earl on the behalf of the King of *France*, That the Conditions agreed on ſhould no ways be violated.

[4] *N. T. T. W.* King *Edward* agrees to the delivery of ſeveral Towns in *Gaſcoigne* into the *French* King's Hands.

Who thereupon ſeems to confirm the Treaty ſet on Foot by the two Queens.

[4] King *Edward* being informed of theſe things by the Earl his Brother, He thereupon ſent him Letters Patents, directed to all his Officers in *Gaſcoigne*, commanding them that in all Points they ſhould ſubmit to the King of *France*'s Pleaſure: Theſe Letters were to be tranſmitted into *Gaſcoigne* ſo ſoon as Earl *Edmund* thought it convenient; but though he had received them, yet he delay'd the ſending them thither, till he was aſſured that the *French* King would approve of what had been agreed upon by the two Queens; and therefore he deſired of them that Aſſurance of it from the King of *France*'s own Mouth: Upon which King *Philip* gave the Earl a Private Audience in the Preſence of the Queen of *Navarre*, the Duke of *Burgundy* and other Perſons of great Quality; where He promiſed, upon the Word of a King, to perform and fulfil whatſoever the ſaid Queens had granted on his behalf; whereupon Sir *Geoffry de Langly*, a Servant of Earl *Edmund*'s, was diſpatched into *Gaſcoigne*, with Letters to recal the Conſtable of *France*, who was then marched with an Army to invade that Province; and *John de Lacy*, a Clerk, was alſo ſent thither with the King's Letters Patents directed to his Officers for the purpoſes already mentioned. Then *John de St. John*, whom the King had made Governor of *Gaſcoigne*, being certified of this Agreement, and believing all Matters as good as concluded between the two Kingdoms, unwarily ſold all thoſe Stores which he had provided for the Towns and Gariſons in thoſe Parts, and preſently return'd into *England*.

[5] *M. W. T. W.* The King of *France* changing his mind, is too hard for King *Edward*.

The King of *France* reduces moſt part of *Gaſcoigne* to his obedience.

[5] But whilſt King *Edward* kept his *Eaſter* at *Canterbury*, daily expecting the *French* King's Letters of Safe-Conduct for his Paſſage into *France*, King *Philip* on the ſudden changed his Mind, and not only denyed the ſaid Letters of Conduct, but alſo diſanulled the Revocatory Letters, which He had a little before ſent to the Conſtable to ſtop his Proceedings in *Gaſcoigne*; ſo that King *Edward*'s Letters Patents to his Officers and Miniſters in *Gaſcoigne*, commanding them to ſubmit to the King of *France*, having been already delivered, it was no difficult matter for the Conſtable, who had now raiſed ſufficient Forces, to make himſelf Maſter of all the Cities and Caſtles in thoſe Parts; inſomuch that the whole Country was ſoon reduced under the *French* King's Obedience, and all the Officers of the King of *England* were immediately ſeized and ſent Priſoners to *Paris*. In the mean while Earl

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Edmund moved the Two Queens to put the King of *France* in mind of his Promiſe to ſend his Letters of Safe-Conduct to the King of *England*, as alſo of the reſt of the Articles, which had been lately agreed on betwixt them: But the *French* King ſent certain Knights to Earl *Edmund*, with Directions in his Name, poſitively to deny that He knew of any ſuch Conditions or Agreements. Then the Earl perceiving how that both his Brother and himſelf had been trick'd by the King of *France*'s fair Promiſes, return'd into *England*, and laid before the King and his Council all that he had done in *France*: So that if this Relation be true, as it is moſt likely, ſince it is found in *Nicholas Trivet*'s Chronicle, and is from thence tranſcribed by *Thomas Walſingham*, but omitted by the *French* Hiſtorians, as being to their King's Diſhonour, though King *Philip* is highly to be blamed for his Treachery and Breach of Faith, yet Earl *Edmund* deſerves the Character of a credulous and unexperienced Young Man, who would ſo far rely upon the King of *France*'s bare Word (without any thing to ſhew under his Hand and Seal) as to ſend the King's Letters to his Officers of *Gaſcoigne*, to ſubmit themſelves and their ſtrong Places to the King of *France*'s Pleaſure, before he had obtained the Letters of Safe-Conduct for the King his Brother to go over, and alſo to return in Safety.

And denies the whole Agreement with Earl *Edmund*.

King *Edward*, upon his Brother's Return from *France*, [1] having Summoned a Parliament (as my Author calls it but was indeed no more than a Great Council) to meet at *London* the Week after *Whitſontide*, it was there agreed by the Prelates and Great Men, That the *Countries that had been thus ſeiz'd by Treachery, ſhould be recover'd by the Sword.*

[1]. *Id. ib.*

* *Rot. Vaſcon.* 22 *Ed.* I. *M.* 8. *Dorſ.*

The King Summons a Parliament, wherein it was agreed to recover the King's loſt Dominions.

And [2] it was in this Council, whereto *John* King of *Scots* was Summon'd, that He granted King *Edward* the Revenue of all his Eſtate in *England* for Three Years, towards carrying on the War with *France*; and the reſt of the Nobility alſo promis'd an Aid according to their Eſtates; whereby it appears that the King of *Scots* was yet (at leaſt outwardly) in the King of *England*'s Intereſt.

[2] *M. W. T. W.*

The King of *Scots* appears at the Parliament at *Weſtminſter*, and his Grant to King *Edward* there.

And I ſuppoſe it is to this Council, That the Record *de Superioritate Regis in Scotiam*, &c. (ſo often cited) is to be refer'd, which further informs us, what was done this Year in the Appeal, that *Macdulf* abovemention'd had brought againſt King *John*, viz. 'That the Parliament not being holden on the morrow after the '*Holy Trinity*, as had been appointed, becauſe the King was engag'd 'in Wars raiſed againſt Him in divers Countries, the Suit between 'the King of *Scots* and *Macdulf*, ſome time ſince begun before the 'King's Juſtices in Parliament, was now continued and prorogued 'to the Parliament next to be holden, at St. *Edmundsbury* on the 'Feaſt of St. *Martin*, (that is, the Eleventh of *November*) in the 'Three and twentieth Year of King *Edward* the *Firſt*; which 'ſince it falls out under the next Year, I ſhall defer ſaying further 'of it till then.

The buſineſs of *Macdulf*'s Appeal put off till the next Parliament.

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[3] *T. W.*

The King ſends Two *Fryars* Envoys to the *French* Court, to renounce his Homage to that Crown.

[3] Not long after this, the King ſent *Hugh de Mancheſter*, a Preaching *Fryar*, and *William de Gisborn* a *Fryar Minor* (both Doctors in Divinity, and Diſcreet Perſons) as his Envoys to the King of *France*, with this Meſſage, That ſince He had violated all the Compacts that had been made between Himſelf and his Progenitors, as alſo thoſe Secret Treaties which had been concluded with the late King his Brother, King *Edward* did not therefore think Himſelf obliged (as King of *England*) to be any longer his Vaſſal for the Dukedom of *Aquitain*, and thereſore renounced the Homage He had made Him. And *William de Nangis* ſuppoſes King *Edward* to have done this, not ſo much out of Generoſity, as Policy, becauſe of the hopes He had to regain the Country again by Conqueſt; and then He intended to hold it no longer as a *Feudatary* to the Crown of *France*.

[4] *Chron. Abing.* C. *W.* H T. *W.*

[5] *Id. ib.* *M. W.*

The Biſhop of *Durham* ſent Ambaſſador to the Emperor *Adolf*, to make a League Offenſive and Defenſive.

About the ſame time [4] the King ſent *Anthony Beke*, Biſhop of *Durham*, together with the Archbiſhop of *Dublin*, his Ambaſſadors into *Germany*, to the Emperor *Adolph* of *Naſſau*, with whom He entred into a Leage Offenſive and Defenſive againſt the King of *France*; and the better to confirm it, ſent Him over no leſs then Sixty Thouſand Marks, (ſome Writers ſay a Hundred thouſand Pounds) to begin the War, though the Emperor was never able or willing to perform this Agreement. And the King [5] having now got ready an Army of Twenty thouſand Foot and Five hundred Horſe, to be ſent into *Gaſcoigne*, He reſolved to go over with them in Perſon, and therefore went Himſelf to *Portſmouth* in order to embark them; but, though He ſtay'd there from *Midſummer* to the Firſt of *Auguſt*, expecting a Wind, yet it never ſerved Him all that time; ſo that growing weary of ſtaying there any longer, He changed his Reſolution, and ſent his Nephew *John*, Earl of *Bretagne* and *Richmond*, General, ordering *John de St. John* and *Robert Tiptoft*, Two Valiant and Wiſe Commanders, to be his Aſſiſtants and Councellors. The King likewiſe at the ſame time ſet forth a Great Fleet, which He divided into Three Squadrons, under as many Admirals, *viz. John de Botecourt* commanded the Ships of *Yarmouth* and the *North Eaſt Coaſt*; *William de Laban*, thoſe of *Portſmouth* and the *Cinque-Ports*; and a certain Knight of *Engliſh-Iriſh* Extraction, all the *Iriſh* and *Weſtern* Veſſels. But neither the King's Army nor his Fleet met with good Succeſs at their firſt ſetting forth; for the Fleet ſailing about *Michaelmaſs* from *Portſmouth*, was driven by contrary Winds into the Haven of *Dartmouth*, and there waiting ſome days for a Wind, again ſet ſail about the beginning of *October*, and Landing at the Mouth of the River *Garrone*, they there took all the Towns upon that Shore, as far as *Bourdeaux*, and alſo the Town of *Rions*, that lies over againſt it; but could not repoſſeſs themſelves of the City of *Bourdeaux*, though the Land-Army was ſet down very near it; but they put Gariſons into *Ryons*, *Blaye*, and other Towns on that Coaſt, which they had made themſelves Maſters of; and ſo the Expedition ended for this Seaſon. But to return to our Affairs at home.

The King ſets out a great Fleet and Army againſt *France*.

Whereby ſeveral Places in *Gaſcoigne* are recovered.

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About the ſame time likewiſe, [1] the Veſſels belonging to the *Cinque-Ports* took a Fleet of *Spaniſh* Merchant Ships of Two hundred and eighty Sail, laden with ſeveral Rich Commodities, and bound for *France:* But the King of *Caſtile*, to whoſe Subjects theſe Ships belonged, was ſo enraged at it, That He preſently declared War againſt the King of *England*, which laſted a good while, to the great Damage of the Merchants of both Nations.

[1] *Ch. Anon. in Bib. Cott. Ch. Sti. Ang. in. Bib. Ben. MS.*

The Veſſels of the *Cinque-Ports*, take a Fleet of *Spaniſh* Merchants.

I muſt now give you an Account of another *Welſh* Rebellion, which happened about *Michaelmaſs* on this occaſion; [2] the King having lately had a Great Subſidy granted Him for the War againſt *France*, Part of it was levied in *Wales*, as well as other Places, which put the *Welſhmen* into ſuch a violent Commotion, that they flew ſtrait to their Arms, ſeized One of the King's Chief Officers, called *Roger de Puleſdon*, who was ſent down to gather this Subſidy, and immediately hanged him up, with ſeveral other Collectors, whom they had likewiſe taken. After they had done this, the * *Weſt-Welſhmen*, choſe *Maelgon Vauchan* for their Leader, who ſpoiled the Countries of *Cardigan* and *Pembroke*, and returned with a great deal of Rich Booty; whilſt they of *Glamorganſhire*, and the *Southern* Parts, made one *Morgan*, a *Welſh* Nobleman, theirs; who driving the Earl of *Glouceſter* out of the Country, they reſtored to him thoſe Poſſeſſions, which that Earl's Anceſtors had taken from his Predeceſſors. [3] In the mean while, the Men of *North-Wales* had ſet up one *Madoc*, of the Family of the late Prince *Llewellyn*, who with a good ſtrong Force came to *Carnarvan*, and ſlew there a great many *Engliſh* that had reſorted to the Fair; and then plundering the Town, retired to the Caſtle of *Snowdon* with Eighteen hundred Men; at which News the King being highly inſenſed, immediately recalled Earl *Edmund*, and *Henry de Lacy*, Earl of *Lincoln*, with great part of the Army, that were then upon their March for *Gaſcoigne*, and ordered them to go to *North-Wales*; but as they approached near the Caſtle of *Denbigh*, upon *St. Martin's* day, the *Welſhmen* met them with a powerful Force, and giving them Battel, repulſed the *Engliſh* Army, and gave them at that time an entire Defeat.

[2] Dr. *Ps Chron.*

The *Welſh* rebel, and on what occaſion

* *i. e.* thoſe of *South-Wales*.

[3] *T. W.*

The King ſends an Army thither, which is Defeated.

But the King's Forces met with better Succeſs in *South-Wales*, * into which He marched in Perſon about the end of *November*, and being diſappointed by the Abbot of *Stratfleur*, who promiſed to bring in the whole Country of *Cardigan* to the King's Peace, He in a Rage commanded that Abbey, together with the adjacent Country to be plundered and burnt. But not long after this, *Morgan* abovementioned, who call'd himſelf Prince of *South-Wales*, came in, and voluntarily ſubmitted himſelf to the King's Mercy, with Seven hundred of his Men, being introduced by the Earl of *Warwick*, who it ſeems had reduced him to theſe Terms.

* *Annal. Wig. ad hunc Ann.*

He marches into *Wales* in Perſon.

All that the King did in *North-Wales*, was, That He [4] marched thither in Perſon againſt the *Welſh*, and paſſing over the River *Conway*, came to the Caſtle of that Name, which He had lately built; but his Army not being able at preſent to get over to Him, and the *Welſhmen* knowing it, took Courage, and beſieged the King in his Caſtle, and reduced Him to that neceſſity for want of Proviſions, That He had but one large Flaggon of Wine left, and He mixing

[4] *H. K. ad hunc An.*

The King marches againſt them in Perſon, and is at firſt reduced to great Straits.

ſome

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ſome Water with it, diſtributed it amongſt all his Followers, ſaying generouſly, *That in extream Neceſſity all things ought to be Common:* But a little while after the King's Forces getting over, reſcued Him, and put the *Welſh* to flight; and there the King continued till after *Chriſtmaſs*. After which the War was perſued with great Vigour all the reſt of the Winter, and till the *Auguſt* following, when *Madoc* being betrayed, and given up by his Countrymen, all *Wales* was again reduced under the *Engliſh* Dominion.

[5] *C. N. T. W.* The King ſeizes the Moneys hoarded up in Monaſteries and Churches.

[1] Upon which He promiſed the Clergy to make them Satisfaction; whereupon they Demand a Repeal of the Statute of *Mortmain.*

But to ſay ſomewhat of Eccleſiaſtical Affairs. The King this Year took an Occaſion highly to diſoblige the Clergy, and it was thus; [5] being inform'd of great Sums of Money, that were hoarded up in ſeveral Monaſteries and Cathedrals, either for the Repairing of their Churches, or other Uſes, the King cauſed it all to be ſeized, and brought up to his Exchequer at *London*; this Action the Biſhops and Clergy ſo mightily reſented, that they remonſtrated againſt it in the next Synod or Convocation, demanding Reſtitution of all that had been forced from them by the King's Officers; but He excuſing the Fact, by reaſon of the Neceſſity of his Affairs, promiſed to make them Satisfaction, ſo ſoon as his Wars were ended; and to pacify them in the mean while, [1] He offered to do any thing that they ſhould deſire, provided it were for the Advantage of the Church: Whereupon the Biſhops conſulting among themſelves, demanded a Repeal of the Statute of *Mortmain*; but the Politick King not being willing to part with ſuch an excellent Law as that, put them off, by telling them that He could not repeal it without the Conſent of Parliament; and ſo they were fain either to be, or at leaſt to appear ſatisfied for that time.

[2] *Chron. Cotton.* The *Engliſh* Army in *Gaſcoigne*, reduce part of *Arragon* to his Obedience, and the Town of *Bayonne* is Surrendred to the *Engliſh.*

I find nothing more done in *France* this Winter, except that [2] ſome of the *Engliſh* Army then in *Gaſcoigne*, being called in by the King of *Arragon*, recovered great part of that Kingdom to his Obedience, and not long after (about the beginning of the Year following) the Town of *Bayonne* was Surrendred to the *Engliſh*, where they took Fifty Ships laden with Wine, which were ſent over to the King.

[3] *M. W.* *Celeſtine* the *Fifth* is choſen Pope, but reſigns after five Months, and is Succeeded by *Boniface* the *Eighth.*

As to the Affairs of *Italy*, [3] the Papal Throne having been void for above Two Years, the Cardinals at laſt elected a certain *Hermite*, of great Reputation for Sanctity, called *Peter de Murrone*; who taking upon him the Name of *Celeſtine* the *Fifth*, after He had been Pope about Five Months, being but a weak Man, was wheedled out of it, and perſwaded to reſign by Cardinal *Benedict* of *Cajeta*, whom He nominated for his Succeſſor, and who was choſen Pope in his ſtead, upon *Chriſtmaſs-Eve*, by the Name of *Boniface* the *Eighth*, a Crafty and Violent Prelate, of whom we ſhall hear more hereafter.

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[4] *Chron. Cotton.* The new Archbiſhop of *Canterbury* being confirm'd, does his Homage to the King.

King *Edward* kept his *Chriſtmaſs* at *Aberconway* in *Wales*; about which time [4] *Robert Winchelſey*, Archbiſhop Elect of *Canterbury*, having been already Confirm'd and Conſecrated by Pope *Celeſtine*, now did his Homage to the King, and was ſent home with a favourable Reception, though he afterwards proved the moſt violent Oppugner of the King's Power and Prerogative, that had been ever ſince *Thomas Becket*'s time. But to return to the Affairs of *Wales*.

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[5] Dr. *Ps. Chron.*

The King marches into *Wales*, and is in great want of Proviſions.

The King, after ſome time ſpent at *Conway*, advanced further into *Wales*, where marching ſomewhat before his Army, the *Welſhmen* ſallying out of their Faſtneſſes, took all his Carriages of Proviſions, ſo that He was reduced to that Extremity, that for a few days He was forced to drink nothing but Water ſweet'ned with Honey, and eat Salt-Meats: But the reſt of his Army coming up to Him, He was quickly relieved by them.

The *Welſh* are routed by the Croſsbows, commanded by the Earl of *Warwick*.

Whilſt the King thus remained in *Snowdun*, the Earl of *Warwick* hearing that a great number of *Welſhmen* were got together in a Valley, betwixt two Woods, Selected a Company of choice Horſe-men with certain Croſsbows, and Archers, who coming upon the *Welſhmen* in the Night, cloſed them in; but they pitching the ends of their Pikes on the Ground, and turning their Points againſt their Enemies, ſtood upon their Guard, and kept off the Horſe-men; but the Earl having ſo well drawn up his Forces, that betwixt every two Horſemen, there was placed a Croſsbow, great part of the *Welſhmen* were overthrown and routed by the Croſsbow Arrows; then charging the reſt of them with a Squadron of Horſe, they made ſuch a Slaughter of the *Welſh*, as had not been for a long time before: So that the Country being now cleared, the King marched directly to the Iſle of *Angleſey*, and having again reduced it, there built a ſtrong Caſtle called *Beaumaris*, from whence the Chief Town of that Iſland hath it's Name: Then having put to Death thoſe that Hang'd *Roger de Puleſdon*, and wholy broke the Power of the *Welſh* in thoſe Parts, by cutting down the Woods, and placing Gariſons in the Sea-Coaſts, the King returned into *England* with a great deal of Honour. Yet in *South Wales* the War was ſtill continued by *Madoc*, who ſometime after marched with his Forces to *Oſwaldſtrie*, where the People ſubmitted to Him; and then meeting the Lord *Strange*, with a Company of his *Marchers* (not far from *Knockin*) overthrew him, and ſpoiled his Country; and ſhortly after He gave the Lords *Marchers* another Overthrow: But yet they were nothing diſcouraged at this Miſchance, but muſtering up freſh Forces, met with *Madoc*, as he was coming towards *Shrewsbury*, upon the Hills not far from *Caurs*-Caſtle, where, after a ſharp Conflict, his Men were routed, and he at laſt taken and ſent up Priſoner to the Tower of *London*; though ſome Authors relate, That this *Madoc* was not then taken, but ſometime after he voluntarily ſurrendred himſelf to the King's Mercy, which he obtained upon this Condition, That he ſhould go in perſuit of *Morgan* the Leader of the Rebels in *North-Wales*, and not deſiſt till he had taken Him Priſoner, which was done not long after; and *Morgan* being Beheaded at *London*, the [1] King took for Hoſtages about Five hundred of the Sons of the Chief of the Noblemen of *Wales*, who were ſent to divers Caſtles in *England*, to be there ſafely kept; which being perform'd, the Country was ſo well ſettled in Peace, that we find no Inſurrection in *Wales* for many Years after.

The Iſle of *Angleſey* again reduced, and the Caſtle of *Beaumaris* built.

Madoc ſtill continues the War in *South-Wales*.

But he is at laſt taken Priſoner, and all *Wales* is ſettled in Peace.

[1] *Chron. Cotton.*

About this time was diſcovered the Treaſon [2] of Sir *Thomas Turbervill*e, a Knight of Note, who whilſt he was lately Priſoner in *France*, promiſed that King to betray One of the *Cinque-Ports* to Him, for the Landing his Army in *England*; but when upon *Turbervill*'s Return home, King *Edward* refuſed him that Command (which he then deſired) of the *Cinque-Ports*, that Plot came to nothing; and his Treaſon being diſcover'd by a certain Clergyman whom he employed as his Secretary, to

[2] *Ch. Abing.* *Ch. W. H.*

The Treaſon of Sir *Thomas Turberville* diſcovered.

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For which he is Condemned and Executed.

to write a Letter to the King of *France*, wherein he invited Him to invade *England*, during the Abſence of Earl *Edmund* the King's Brother, who was ſometime before ſent over into *Gaſcoigne* with the Power of the *Engliſh* Forces; as *Turberville* was going towards *Wales* he was ſoon apprehended, and being brought back again to *London*, was there tryed and condemn'd to be hang'd and quarter'd; and he was Executed accordingly.

[3] *Id. Ib.*

Which utterly diſappoints the *French* deſigns upon *England*.

[4] *Annal S. Auguſt MS. in Bib. Ben.*

Yet they Land and Plunder *Dover*, and ſet it on Fire, but at laſt are repulſed.

This Diſcovery and Execution had this good Effect, That it was a great means of diſapointing the Invaſion of the *French* that they deſigned about this time; for they arriving upon the Coaſt of *England* with a great Fleet of 400 Sail, hoped to have had one of the *Cinque-Ports* delivered up to them by *Turberville*, whom they expected to have found Guardian thereof; but their Deſign being fruſtrated by the King's not Truſting him with that Command, all they could do, was [4] to land not far from *Dover*, with ſome Forces, and then marching to that Town, they burnt a good part of it, plundering the Churches, eſpecially that of the Priory, wherein many of the Inhabitants had fled for Refuge; But ſome of thoſe that ran out of the Town upon the Approach of the *French*, joyning with the Militia of the Country, coming in to their Aſſiſtance, fought with ſo much Bravery, that they beat the *French* back to their Ships with the Loſs of a great many of their Men, who were either killed or taken Priſoners.

And (as *William de Nangis* relates) there was ſo great an Army then on Board the *French* Fleet, as might have gone near to have conquer'd *England*, had not the Fleet been recalled through the Envy of the *French* Admirals. But this ſeems not at all probable; for had they been Guilty of ſuch a Miſcarriage, the *French* King would have made them pay for it with the loſs of their Heads. However, in Revenge of this petty Loſs, the Seamen of *Yarmouth* burnt the Town of *Cherburgh* in *Normandy*, whilſt the Mariners and Soldiers belonging to the *Cinque-Ports* Landing near *Diepe*, burnt the Towns and Villages adjoining, for near 20 Miles together along the Coaſt, and returned to their Ships; and not long after thoſe of *Portſmouth* took fifteen *Spaniſh* Ships laden with rich Commodities, being bound for *Damm* in *Flanders*, and brought them into *Sandwich*. But this ſmall Succeſs met with a very ill Conſequence, for it cauſed a long War between *England* and *Spain*, to the great prejudice of the King's Affairs.

Some Towns burnt by the *Engliſh* in *Normandy*.

But I ſhall now ſpeak of the Affairs of *Scotland* and *France*, which took up the reſt of this Year.

The King Summons a Parliament, at which the *Scotiſh* King refuſed to appear.

[5] *C. J. E.*

* *Rot. de Superior. Reg. Angl. in Scot.*

But ſends an Abbot, and ſome Noblemen, with Letters of Excuſe.

King *Edward*, as I have ſaid before, had Summoned a Parliament to meet at St. *Edmunds-bury*, on the Feaſt of St. *Martin*, or the Eleventh of *November*, and it laſted until the end of *December* following: * in this Parliament the *Scotiſh* Earl, [5] *Macduff*, proſecuted his Plea afreſh againſt the King of *Scots*; who, inſtead of appearing in Perſon, ſent the Abbot of *Abirbrothok*, and ſome other Noblemen of that Kingdom, to King *Edward*, with Letters of Excuſe for his not coming to his Court either the two laſt Parliaments, at the Days aſſigned him, or now; wherein he gave ſome ſpecious Reaſons why he could not attend in his own Perſon.

But

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But indeed, this* Abbot, and thoſe that came with him, brought not only an Excuſe, but a Quarrel, and demanded of King *Edward* Satisfaction for ſeveral pretended Injuries, Oppreſſions and Grievances, ſuſtained by the *Scots* from his Subjects: To whom, after good Deliberation, this Anſwer was given, That the King of *England*, for certain Cauſes, was coming towards the *North-Parts*; and that the King of *Scots* ſhould then have ſufficient Recompence to his own Content for all Injuries could be proved done to the *Scots* by his Subjects of *England*: And alſo appointed him a Day in the ſame Parliament, when (by the Continuation and Prorogation of the Juſtices repreſenting his Perſon) He ſhould Appear and Anſwer to *Macdulff*, *viz.* the firſt day of *March* next following, at *New-caſtle upon Tine*, who would expect his being there; and enjoyn'd the Abbot and thoſe with him, to give notice to their King, that He ſhould then not fail perſonally to appear there, to Treat with the King of *England* about the Premiſſes, and other Things touching the State and Tranquility of both Kingdoms and their Inhabitants.

* *Ibidem.*

They alſo demand Satisfaction for ſeveral Injuries; and the King's Anſwer to them.

The King appoints another Day for the King of *Scots* Appearance.

While * the King was at the Parliament intent upon this Buſineſs, He had certain Information, That the King of *Scots*, with his Prelates, Earls, Barons, and other Noblemen, *Communities* of Cities, and Towns, and others of the Chief Inhabitants of the Kingdom, had made a private Confederacy and League with the King of *France* againſt Him, Sealed with both their Seals, and Counterchanged; for diſpatch whereof, the King of *Scots*, at the Inſtance of his Biſhops, Earls, *&c.* ſent four Procurators or Commiſſioners, *viz. William* Biſhop of *St. Andrews*, *Matthew* Biſhop of *Dunkeld*, *John de Soules*, and *Ingraham de Umfreville*. The Sum of this League was:

* *Ibidem.*

The King is inform'd, that the King of *Scots*, with his Prelates and Nobility, had made a Secret League with the King of *France*.

Firſt, ‘That *Edward*, King *John*'s Son, ſhould Marry the Daughter of *Charles* of *Valois*, Earl of *Anjou*, the King of *France* his Brother.

Secondly, ‘That the King of *Scotland* in the preſent War ſhould aſſiſt the King of *France* againſt the King of *England* and all his Confederates, as well by Sea as by Land, againſt the Emperor of *Germany* and others.

Thirdly, ‘That He ſhould at his own Charge make War againſt the King of *England*, when He was employed in, or diverted by, War in other Places.

Fourthly, ‘That as well the Earls, Barons, Prelates, and other Noblemen, as far as of Right they might, and alſo the *Communities* of the Kingdom of *Scotland*, ſhould, as ſoon as they could, ſend Him their Letters Patents, under their Seals, of their Conſent to theſe Things.

Fifthly, ‘That if the King of *England* Invaded *Scotland*, the King of *France* was to make War upon Him in other Parts, by way of Diverſion; or if required, to ſend Forces into *Scotland* at his own Charges, until they came there.

Sixthly, ‘That if the King of *England* went out of his Kingdom, or ſent many Forces abroad, the Commiſſioners promiſed, that the King of *Scotland* ſhould enter *England* with his whole Power as far as He could, making War in the Field, beſieging Towns, waſting the Countries, and by all poſſible ways deſtroying *England*.

The Articles of this League.

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Seventhly, ' That they ſhould not make Peace on either ſide, without ' the Conſent of the other.

The League it ſelf, with the Procuratory Letters, are to be found at large in this Record, and in *Hen. de Knyghton*, Col. 2473.

* *Ibidem.*
The King ſends two Abbots to the *Scotiſh* King, to warn him to Appear at the Parliament; and to deliver certain Caſtles in the mean while.

About * the prefixed time for the King of *England*'s ſetting out for his Journey to *New-caſtle*, He ſent the Abbots of *New-minſter* and *Wellebeck* to the King of *Scots*, to give Him notice of the Adjournment of the Parliament, and the time of his coming thither; they alſo demanded in the King's Name, certain Caſtles in the *Marches* to be delivered up to Him, for his Own and his Subject's Security from the preſent Dangers during the War with *France*, which when over, He ſhould receive again; and that He might have them without any difficulty, He ſent by thoſe Abbots his Obligatory Letters for the Performance of his Promiſe.

[1]
H K Ib.
Chron. Lan.

The Caſtles that the King demanded, which the *Scots* refuſe to deliver.

Our [1] Hiſtorians do alſo agree with the Record in this matter, and are in ſome Points more expreſs; as that the King, ſuſpecting the Fidelity of the King of *Scots*, demanded three of the ſtrongeſt Caſtles in his Kingdom, *viz. Berwick*, *Roxburgh*, and *Edenburgh*, to be delivered into his Hands, as Pledges for his Fidelity until the end of the *French* War: But the *Scotiſh* Parliament, then aſſembled at *Edenburgh*, refuſing to comply herewith, the King thereupon reſolved to ſubdue them by Force; and that they, much about the ſame time, choſe Twelve Peers of the Kingdom, to wit, Four Biſhops, Four Earls, and Four Barons, by whoſe Advice the King was to Govern, and by whom He was chiefly incited to make War againſt King *Edward*, as they did the Year following, when it came to an open Breach between the two Kingdoms.

[2]
T. W.
Chron. Lan.
Charles, the *French* King's Brother, with the Conſtable *de Neſle*, enter *Gaſcoigne*, and take *Ryons*, with ſeveral Officers.

Let us now ſee what ſucceſs the King's Forces had in *Gaſcoigne* this Spring. [2] Count *Charles* the French King's Brother, with the Conſtable *de Neſle*, having entered that Province about the middle of *Lent* with a powerful Army, they Beſieged *Ryons* and took it, being quitted by *John* Duke of *Bretaigne*, and the Lord *Robert Tiptoft*, by reaſon of a great Mutiny and Sedition that happened among the Soldiers; ſo that the Commanders abovemention'd retreating to *Blaye* by Water: all the Officers that remained in the Town, together with the common Soldiers, were without any difficulty taken, and ſent Priſoners to *Paris*. But in return, on the ſame day the Town of St. *Severe* was yielded up to the *Engliſh*, and *Hugh de Vere* made Governor of it; but he could not keep it long, for Count *Charles*, having burnt the Town and Caſtle of *Ryons*, preſently marched to Beſiege that Place, before it was ſufficiently Fortified; *Hugh* the Governor made a Gallant Reſiſtance, and held out a long Siege of Nine Weeks, during which time a great number of the *French* periſhed, both by Plague and Famine; yet at laſt, Proviſions failing in the Town, by the Mediation of the Counts of *Artois* and *Foix*, (who were then with Count *Charles*) the Governor obtained a Truce for Fifteen days, within which time, if he were not relieved, he was to Surrender the Place; and no Relief being ſent from *Bayonne*, (as was expected) the Town was Surrender'd, upon Condition, That the Gariſon might march out with their Arms and Baggage, and be ſafely conducted for two days march by the French Army: There were alſo good Conditions made for the Inhabitants that ſtaid behind. But to make ſome amends for theſe ill Succeſſes, [3] *John de St. John*, one of the King's Chief Commanders in *Gaſcoigne*, about this time fought the *French*,

The Town of St. *Severe* taken by the *Engliſh*,

Which is retaken after a long Siege by the *French*.

[3]
Chron. Annon. in Bib. Cotton.
Sir *John St. John* routs the *French*, and kills 1700 of them

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French, and killed Seventeen hundred of them, and took Seven hundred Priſoners.

As to Eccleſiaſtical Matters, nothing happened remarkable, [4] but the Death of *John* Sirnamed the *Roman*, Archbiſhop of *York*, of *Italian* Extraction, a Learned Prelate, but withall ſordidly Covetous: and *Henry de Newark*, Dean of the ſame Church, was Elected in his room.

[4] *H. K.* The Death of *John the Roman*, Archbiſhop of *York*.

The [5] new Pope *Boniface* reſolving again to revive the *Holy War*, and to make all Chriſtian Princes agree to the carrying on of that great Deſign, ſent the two Cardinals of *Alba* and *Preneſte* to the King of *France*, commanding Him upon pain of *Excommunication* to make Peace with the King of *England:* But King *Philip* refuſing it, anſwered boldly, *That the Pope had nothing to do about making Peace or War in his Dominions.* [1] Then the ſame Legates came over into *England* with the like Meſſage; but King *Edward* being more Complaiſant, order'd the Biſhop of *Durham* to receive them with all due Reſpect; and the King, upon his Return from his *Welſh* Expedition, anſwered them to this effect, That He was inclinable enough either to a Peace or Truce, which the King of *France* ſhould think fit; but he was obliged, by his Oath to the Emperor, not to conclude either without his Privity and Conſent: Then the Legates, having deſired the King to perſwade that Prince to comply with their Propoſals, took their Leaves, and return'd into *France*.

[5] *Mezeray's Hiſt. Ad hunc An.* Pope *Boniface* ſends his Legates to the King of *France*, commanding him to make Peace with *England*.

[1] *T. W.* The ſame Legates come over hither, and are kindly received, and reſpectfully anſwer'd by K. *Edward*.

This [2] Year was alſo remarkable for the Deceaſe of ſeveral Perſons of Quality, eſpecially the Lord *Robert de Bruce* the Elder, who had been a Competitor for the Kingdom of *Scotland:* He Died in that Kingdom, but was Buried in the Abbey-Church of *Giſbourn* in *Yorkſhire*, which his Anceſtors had Founded. This deſerves our notice, becauſe moſt of our Hiſtorians confound him with his Son of the ſame Name, who was ſome Years after Crown'd King of *Scotland*. [3] Alſo this Year Died *Gilbert* Earl of *Gloceſter*, who had Married *Johanna* the King's Daughter, and by her left a Son of the ſame Name with his Father: And for the Counteſs-Dowager, ſhe not long after privately Married an ordinary Eſquire, called *John de Monthermer*, who belonged to the late Earl her Husband, without the King's Conſent; for which, *Monthermer* was for ſome time kept in Priſon; but being at laſt ſet at Liberty, and obtaining the King's Favour, he was for his Valour created Earl of *Gloceſter*, during the Minority of Young *Gilbert de Clare*, the King's Grandſon.

[2] *C. W. H. H. K.* The Death of Lord *Bruce* the Father.

[3] *Chron. Abing.* As alſo of the Earl of *Gloceſter*.

[4] Open War being now broke out between *England* and *France*, King *Edward*, to ſee what the King of *Scots* would do, ſent to Him, deſiring his Aſſiſtance againſt the *French*; but the *Scots* return'd an Anſwer to this Effect, That neither they nor their King were obliged to Obey the Requeſts or Commands of the King of *England*, ſince they were now Abſolved by Pope *Celeſtine* from the unlawful Fealty and Homage King *Edward* had Extorted from them: Which when the King heard, He was much ſurpriz'd, and ſent them word, That ſince they would give Him no Aſſiſtance, He expected the Caſtles of *Berwick*, *Edenburgh* and *Roxburgh*, ſhould be put into his Hands by way of Caution to the end of the War, that they wou'd not take up Arms againſt him: But this was not only refuſed with great Scorn, but the King of *Scots*, now reſolved upon a War, [5] to be before-hand with *England*, Baniſh'd all of that Nation out of *Scotland*, and turn'd the Eccleſiaſticks there out of their Livings; and alſo Seized all the Goods of the *Engliſh*, which

[4] *Id. Ib.* The King deſires Aſſiſtance from the *Scots* againſt *France*, which is by them refuſed.

[5] *Chron. Lan.* The *Engliſh* Baniſh'd out of *Scotland*, and their Eſtates Seiz'd.

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which were ordered to be kept in ſafe Places towards the Expence of the War: But thoſe few *Engliſh*, who were permitted to ſtay behind, were forced to take an Oath to aſſiſt the *Scots* againſt their own Nation; which (as my Author well obſerves) was fooliſhly contrived; for how could a forced Oath oblige others, when the *Scots* themſelves had broke their Oath of Fealty to King *Edward*, on pretence that it was impos'd upon them, againſt their Conſents.

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* *Rot. de Superior. in Scotia.*

The King marches in Perſon againſt the *Scots*.

[1] *T. W. Chron. Abing.*

And again cites that King to appear at *New-caſtle*; but without any effect.

Whereupon in *February* following King *Edward* began his Expedition againſt the *Scots*; and it appears by the * Record abovementioned, that He was on the Firſt of *March* at *New-caſtle*, where, holding a great Council of his Nobility, He Cited by Proclamation the King of *Scots* to make his Perſonal Appearance on the Day laſt mention'd: [1] But He not obeying the Citation, nor ſending any one to excuſe his Abſence, after ſome Days ſtay there, the King, by the Advice of his Council, reſolved to march further againſt Him: and in perſuance thereof, proceeded as far as *Bunborough* Caſtle, where He again cauſed the *Scotiſh* King to be Summon'd; but it had no other Effect than the former.

[2] *Id. Ib.*

Robert de Ros Rebels againſt the King, with the ill Conſequences of it.

But before I inform you what the King did in this Expedition, I cannot forbear mentioning an ill Accident that fell out, [2] whilſt the King remained at *New-caſtle*. It happened that a certain Knight there, called *Robert de Ros*, Lord of the Caſtle of *Weark*, for the Affection he bore to a *Scotiſh* Lady, whom he intended to Marry, Revolted from King *Edward*, and went over to the *Scots*: Whereupon, *William de Ros* his Brother, immediately gave the King notice of it, and deſired a ſufficient Gariſon to defend the Caſtle againſt the *Scots*: The King upon this ordered him a Thouſand Men; and he marching with them toward the Caſtle, quartered at a Village called *Preſtſen*, where *Robert* his Brother, with a great number of *Scots*, ſurprizing them in the Night, killed them all, except ſome few that eſcaped in the dark. When the King heard of this, tho' He was ſorry for the loſs of his Men, yet it gave Him this Satisfaction, That the *Scots* had firſt begun theſe Hoſtilities.

[3] *C. W. H. H. K.*

Divers *Scotiſh* Noblemen Submit to the King.

Then [3] the King went to the Caſtle of *Weark*, and there kept his *Eaſter*. Whilſt He was at that Place, there came over to Him divers *Scotiſh* Noblemen, who not only ſubmitted themſelves to Him, but alſo gave Him their Homage and Oath of Fealty: The Perſons were, *Patrick* Earl of *Marche* and *Dunbar*, *Gilbert Umfreville* Earl of *Angus*, *Robert de Bruce* the Elder, and *Robert de Bruce* the Younger, whoſe Homages and Submiſſions are ſet down at large in my Author; but ſeeing they are much the ſame with thoſe of the other Noblemen, whom I ſhall mention hereafter, and are ſtill Extant on the Rolls in the *Tower*, I purpoſely here omit them.

[4] *T. W.*

Some *Scotiſh* Noblemen raiſe Forces, invade *England*, and burn part of *Carliſle*.

Whilſt [4] the King kept his *Eaſter* at this Caſtle, ſeveral *Scotiſh* Earls and Barons, (the chief of whom were thoſe of *Menteithe*, *Straherne*, *Athol* and *Mar*) having gathered an Army of Five hundred Horſe and Four thouſand Foot, marched out of *Anandale* over the River *Salwarth*, and entring *Cumberland*, not only deſtroyed the Inhabitants without diſtinction, but burnt all the Towns from *Artereth* as far as *Carliſle*, the Suburbs of which they alſo laid in Aſhes: And tho' the Town was ſet on Fire by a Spy that was there kept in Priſon, yet the Inhabitants making a vigorous Reſiſtance, it was not only ſaved, but the *Scotiſh* Army was alſo repulſed with ſome loſs.

In [5] the mean while, King *Edward* marching into *Scotland* on the other ſide, ſat down beſore *Berwick upon Tweed*, and on the 29th of *March* Summoned the Town and Caſtle to Surrender, offering the Gariſon and Townſmen a Free Pardon, with a Continuation of all their Liberties and Privileges: But they were ſo far from hearkening to the King's Offers, that they refuſed them with moſt opprobrious Language, and endeavoured to burn the *Engliſh* Fleet that was then lying in that Harbour; which ſo highly provoked the King, that He immediately commanded a General Aſſault to be made; and the Place being ſoon taken by Storm, the *Engliſh* gave no Quarter to any of them, but putting all to the Sword they met in their way, no leſs than Fifteen thouſand, as ſome, or, (as *John Everſden*, and Others, more probably relate) Nine thouſand *Scots* were there Slain; and for thoſe that were left, the King Baniſhed them the Town for ever. Then He ordered a deep Trench, fortified with Palliſadoes, to be caſt up between the Town and the reſt of *Scotland*, to hinder the *Scots* from approaching it, and ſpent ſome time in repairing the Fortifications of that important Frontier.

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[5] *Chron. Cotton. Chron. Lan.*

King *Edward* enters *Scotland*, and Beſieges *Berwick*.

Takes the Town by Aſſault, and puts 9000 *Scots* to the Sword.

[1] *Chron St Alban. in Bib. Cot. Claud. D. 6.*

Whilſt the King was thus employ'd, *Baliol*, being now reſolved to act aboveboard, and openly to defie King *Edward*, to that purpoſe ſent, by the Guardian of the *Fryars Minors* of *Roxburgh*, an Inſtrument, or Writing, containing a *Renunciation* of the Homage and Fealty, which himſelf and many of the Inhabitants of the Kingdom had formerly made, which being both in *French* and *Latin*, is thus Tranſlated.

Baliol ſends K. *Edward* a Renunciation of the Homage he had made him.

TO *the Magnificent Prince* Edward, *By the Grace of God, King of* England, John, *By the ſame Grace, King of* Scotland: *Whereas You and Others of Your Kingdom have purpoſely and knowingly, by Your violent Power, notoriouſly and frequently done grievous and intollerable Injuries, Contempts, Grievances and enormous Damages againſt Us, the Liberties of Our Kingdom, as alſo againſt God and Juſtice, Citing Us at Your Pleaſure, upon every ſlight Suggeſtion out of Our Kingdom, unduly Vexing Us, Seizing Our Caſtles, Lands and Poſſeſſions in Our Kingdom unjuſtly, and for no fault of Ours, taking the Goods of Our Subjects, as well by Sea as by Land, and carrying them into Your Kingdom, Killing Our Merchants, and other Traders with You, and taking away Our Subjects and Impriſoning them: For the Reformation of which Things, tho' We ſent Our Meſſengers to You, yet they remain not only unredreſſed, but there is every day an Addition of worſe; for now You are come with a great Army upon Our Borders, to Diſinherit Us, and the Inhabitants of Our Kingdom; and proceeding forwards, have inhumanly committed many Slaughters, Burnings and violent Invaſions, as well by Sea as Land: We therefore not being able to Suſtain the ſaid Injuries, Grievances and Damages any longer, nor to remain in Your Fealty or Homage, Extorted by Your violent Oppreſſion, do hereby return them to You, for Our Self, and all the Inhabitants of Our Kingdom, as well for the Lands We hold of You in Your Kingdom, as for Your pretended Government over Us.*

[1] *T W. Hen. de Knight. Col.* 2477.

The Form of it.

We cannot tell the Exact time when this Letter was Writ, becauſe it is entered in our Hiſtorians without any Date; only *Walſingham* tells us in general, That it was ſent about the latter end of *April*, which is moſt probable, becauſe King *Edward* was then at *Berwick*; to which place all our Authors agree this Writing was ſent, and do alſo tell us, That

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That the King having recieved it, and accepted of King *John*'s *Renunciation*, commanded his Chancellor, that it ſhould be enrolled *in perpetuam Rei memoriam*, as it remains on the Records of the *Tower* to this day; being in Latin, though it was Written Originally in *French*, as appears from *Walter Hemingford*'s Manuſcript Hiſtory of this King's Reign, as alſo in the *Abingdon* Chronicle. But to return to the Hiſtory.

[2] *Id Ib.* The King ſends part of his Army to reduce the Caſtle of *Dunbar*. The *Scots* invade and waſt *Northumberland*.

About the ſame time [2] the King ſent great part of his Army to reduce the Caſtle of *Dunbar*, which had been betrayed to the *Scots* by the Lady thereof, in the Earl her Husband's Abſence; in the mean while the *Scots*, to divert the King's Forces from this Siege, under the Conduct of the Earls of *Caſſiles* and *Menteithe*, invaded the Borders of *Northumberland*, and killing all the Inhabitants they could meet with, burnt and waſted all *Cokeſdale* and *Redeſdale*, with all the Country lying Eaſtward of *Tine*; and then marching forward, burnt the Monaſteries of *Henham* and *Lanercoſt*, with the Nunnery of *Lambſley*, and ſo return'd into *Scotland*, through the Foreſt of *Nicholay*, with a great Booty.

[3] *H. K.* *Dunbar* Caſtle taken.

Notwithſtanding this, the Forces Royal, under the Command of the Earls of *Surrey* and *Warwick*, ſtill carried on the Siege of *Dunbar*-Caſtle; [3] and the King, having ſtayed at *Berwick* till the end of *April*, then marched with freſh Forces to their Aſſiſtance; but before He could arrive there, His Army had not only taken the Caſtle, but obtain'd a great Victory over the *Scots*: The manner of which was thus.

[4] *Id. ib.* The *Engliſh* Army obtain a great Victory over the *Scots*. [5] *T. W.*

King [4] *John*, finding this Caſtle which was then of great ſtrength and importance, like to be taken, having muſter'd up a great Army, marched to it's Relief; but being met with by the *Engliſh* Generals, who roſe from the Siege, and gave them Battel, [5] they wholy routed the *Scots*, and killed about Ten thouſand of them; which is much more probable then *Knyghton*'s Account, that makes them above as many more; though none of any Note were there ſlain, except the Lord *Patrick Graham*.

[1] *Ibidem.* Divers *Scotiſh* Noblemen taken Priſoners at *Dunbar*. [2] *Chron. Lan.* [3] *W. H.*

Upon [1] this Victory, thoſe in the Caſtle of *Dunbar* ſeeing no further hopes of Relief, Surrendered it to the King's mercy, where were taken Priſoners, the Earls of *Menteithe* and *Athol*, the Lord *Ros*, One and thirty Barons more, beſides ſeveral other Perſons of Quality: [2] But as for the common Soldiers who were about 300, the King gave them all their Liberty, upon their promiſſory Oath not to take up Arms againſt Him any more. Upon [3] the loſs of this Battel, and the taking of *Dunbar*, the *Scots* were ſo diſpirited, that they fled beyond the Frith of *Forthe*, leaving no Forces behind them, but what were in Gariſons.

The Caſtle of *Roxburgh* Surrendred by the Steward of *Scotland*, who ſubmits and takes an Oath of Fealty to the King. [4] *T. W.*

After this, the King with his Army marched againſt the Caſtle of *Roxburgh*, which was held by the Seneſchal, or Steward of *Scotland*, who upon the approach of his Royal Army, thinking it in vain to reſiſt, ſurrendered the Place upon Good Terms, having the Lives, Eſtates and Liberties, of himſelf and thoſe that were with him, preſerved; upon which he was alſo admitted to make his Submiſſion, and take his Oath of Fealty to the King, as appears by an [4] Inſtrument under his Seal, which I ſhall mention farther hereafter. From thence the King went forward directly to *Edenburgh*, which was Surrendered without any Reſiſtance;

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Reſiſtance: And as for the Caſtle, though it was counted one of the ſtrongeſt holds in all *Scotland*, yet that likewiſe was Surrendered after Eight days Siege, though our * Anonimous Chronicle does not attribute it to the Force of the King's Engins of Battery, but becauſe the Well in the Caſtle fail'd ſuddenly of it's Water, contrary to expectation; which ſeems to be the more likely Account.

The Town of *Edenburgh*, with the Caſtle, are Surrendred to the King.

* *In Bib Cott.*

[4] After this, King *Edward* marched forward to the Caſtle of *Sterling*, which, though very ſtrong, was preſently taken, the Gariſon having for fear deſerted it: Upon which unexpected Succeſſes, King *John* with his Nobility, ſeeing their Caſe now deſperate, thought fit by Meſſengers on purpoſe, to implore the King's Mercy, who thereupon [5] ſent *Anthony* Biſhop of *Durham* to treat with them; and he having agreed upon the Terms of their Submiſſion, brought the King of *Scots* along with him to King *Edward*, being then at a Place called *Stroukatherack*, without any State, only mounted upon a little Nag, with a white Rod in his Hand: Then being admitted into the King's preſence, He made his acknowledgment of his Offence, and beg'd Pardon by Word of Mouth, and went thence with the King to the Caſtle of *Brechin*.

[4] *Id. H. K. Chron. Abing. in Bib. Cant.*

King *John*, with his Nobility, implore the King's Mercy, which is granted.

[5] *Hec. Boeth. L.* 15.

But it is owing to the Records in the * Rolls of the *Tower*, that we find after what manner that King made this Acknowledgment, *viz.* 'That He 'by Word of Mouth acknowledged Himſelf heartily ſorry for the un-'lawful Confederacies He had made with *Philip*, King of *France*, againſt 'the King of *England*; He alſo then renounced all ſuch Confederacies 'and unlawful Contracts, made in the Name of Himſelf, his Son *Ed-'ward*, and the Inhabitants of *Scotland*, againſt his due Homage, and 'Fealty He had done to the King of *England*. This was done in the *Church-yard* of *Stroukatherack*, *July* the Seventh, before *Anthony* Biſhop of *Durham*, *Humphrey* Biſhop of *Hereford*, *John Comyn* Earl of *Bouchan*, the Lord *Hugh le Diſpenſer*, the Lord *John Comyn* the Elder, of *Badenach*, as Witneſſes eſpecially called for that purpoſe. *Then Three days after, his Majeſty coming to the Caſtle of *Brechin*, King *John* being ſtill with Him, in a more ſolemn manner abſolutely Surrendered Himſelf, together with the whole Kingdom of *Scotland*, and his Royal Dignity, with all Homages, and other Rights and Appurtenances thereunto belonging; as alſo all his Lands and Poſſeſſions, and Goods Moveable and immoveable, with a contented Mind and Freewill, into the hands of *Anthony*, Biſhop of *Durham*, who received them in the Stead and Name of King *Edward*. Theſe things were done at *Brechin* the ſame day, before a publick Notary, whom he commanded to publiſh and make an Inſtrument of them, *in perpetuam Rei memoriam*; the ſaid Biſhop of *Durham*, *John Comyn* of *Badenach*, the Elder, *Bryan Fitz-Allan*, Knights, and *Alexander Kenedy*, Clerk, Chancellor to the King of *Scotland*, being ſpecially called as Witneſſes thereunto.

* *Rot. Scot.* 24. *Ed* I. *Pecia.* 8.

The manner of the *Scotiſh* King's Submiſſion.

* *Ibm.*

King *John* Surrenders himſelf and his Royal Dignity into the King's Hands.

From which Records it plainly appears, that (though Dr. *Brady* takes no Notice of it) there were Two ſeveral Submiſſions of the King of *Scots*, the former made *July* the Seventh, wherein He renounced all unlawfull Confederacies againſt the King of *France*; and the *Second* was more large and Solemn, and contain'd a Surrender of his Kingdom, and Royal Dignity, *&c.* into the King's Hands.

Two ſeveral Submiſſions made by the *Scotiſh* King.

Which

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Which laſt Submiſſion and Reſignation, together with a large Acknowledgment of his Offence in Confederating with the King of *France*, was reduced into a Charter, or Inſtrument, written originally in *French*, and is thus Tranſlated.

[1] *H. K. Coll.* 2481. See it alſo in *Trivet*, and *Walſingham* in *Latin*.

The Charter of his Submiſſion and Reſignation.

JOhn, *by the Grace of God, King of* Scotland, *to all that ſhall hear or ſee theſe preſent Letters, Greeting. Whereas We by evil and falſe Counſel, and Our own Simplicity, have greatly offended and provoked Our Lord* Edward, *by the Grace of God King of* England, *&c. to wit, for that being in his Faith and Homage, We have Allied Our Self to the King of* France, *who then was, and is now his Enemy, offering a Marriage between Our Son and the Daughter of his Brother, the Lord* Charles, *and Aſſiſting Him by War, and otherways with all Our Power, and furthermore by Our evil Counſel aforeſaid, We defied Our Lord the King of* England, *and put Our Self out of his Faith and Homage, and ſent Our People into* England *to Burn, Spoil, Plunder, Kill and Commit other Miſchiefs; fortifying the Kingdom* [*of* Scotland] *that is his Fee (or Seigniory) againſt Him, putting Gariſons into the Towns, Caſtles and other Places, for which Tranſgreſſions Our Lord, the King of* England, *having entered* Scotland *by force, Conquer'd and took it, notwithſtanding all We could do againſt Him, as of Right He might, as Lord of the Fee, ſeeing after We had done Homage to Him, We Rebelled againſt Him; We, being therefore yet Free and in Our own Power, do hereby Surrender unto Him the Land of* Scotland, *and the whole Nation, with all it's Homages: In Witneſs whereof We have cauſed to be made theſe Our Letters Patents. Dated at* Brechin, *the Tenth Day of* July *in the Fourth Year of Our Reign.*

[2] *N. W. T. W.*

Upon which the great Seal of *Scotland* is broke.

Which Inſtrument, though it is not Recorded upon the Roll, yet that it was then made, all our [2] Hiſtorians agree, Some of them having Tranſlated it into *Latin*, and Others giving it us in the *French* Original; and *Nicholas Trivet* (whom *Walſingham* Tranſcribes) relates, that this Charter being Sealed with the Great Seal of *Scotland*, it was forthwith broke, as being no longer of any uſe, the King taking that Kingdom into his own Government.

The King takes a Progreſs into the fartheſt Parts of *Scotland*, without any Reſiſtance.

[3] *T. W. C. W. H.*

[4] *Id.*

He removes the Stone to *Weſtminſter*-Abbey, on which the *Scotiſh* King's were wont to be Crown'd.

[5] *N. T.*

This Great Affair being thus happily ended, to the good Satisfaction of the King, and all the *Engliſh* Noblemen there preſent, He then reſolved to go a Royal Progreſs through the Heart of *Scotland*, to ſee if there were any left, that dur'ſt reſiſt Him; [3] and then ſending the Biſhop of *Durham* a day or two's March before, with a Detachment of Light Horſe, He followed in Perſon by eaſie Journies as far as the *High lands*: Then the King having paſſed through *Murrey* as far as *Elgin*, and found the whole Country in Peace, thought it needleſs to proceed any further, and ſo returned back by the Abbey of *Scone*, from whence, as a perpetual Monument of his Conqueſt, He ordered [4] that famous Stone to be taken, on which the Kings of *Scotland* were for many Ages wont to be Crown'd; and this being carried to *Weſtminſter*, [5] the King afterwards commanded it to be put into a Chair, wherein the Prieſts might ſit at Divine Service. From this Antient Authority of *Nicholas Trivet*, (from whom *Walſingham* has borrow'd it) we may obſerve, That though the King's of *England* have ſince that time thought fit to make uſe of that Chair to receive their Crowns, yet it was not at firſt intended by King *Edward* for that purpoſe, but only as a token of his Conqueſt over the *Scotiſh* King and Nation.

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I cannot here omit that [5] *Hector Boethius* charges King *Edward* to have, at this time, burnt all the *Scotiſh* Records, abrogated their Laws, and alter'd even their Forms of Divine Service; and laſtly, removed their moſt Learned Men from their own Univerſities to that of *Oxford*; to all which Charges, having already made this King's Defence in my *Introduction*, I refer the Reader to it for farther Satisfaction.

[5] *L.* 14. *C.* 7. *Boethius*'s *Calumny*, of King *Edward*'s having deſtroy'd the *Scotiſh* Records.

But to return to the Hiſtory. [1] From *Scone* King *Edward* return'd to *Berwick* in the beginning of *Auguſt*, where He held a Great Council or Parliament of the Great Men or Nobility, Clergy and Commons of *Scotland*, and where the *Scotiſh* Noblemen again renewed their Homage and Fealty to Him, much in the ſame Form with that of the Lord *Steward* of *Scotland*, upon the Surrender of *Roxburgh* Caſtle. But I will ſet down the Form of it as a Pattern for all the reſt, from the *French* Original in *Henry de Knyghton*, and the *Bodleian* Chronicle.

[1] *Id.* *T. W.* *H. K.*

TO [2] *all thoſe that ſhall ſee or hear theſe Letters, We* (ſuch and ſuch there named) *ſend Greeting; For that we agree to the Faith and Will of the moſt Noble Prince, our Dear Lord* Edward, *by the Grace of God, King of* England, *Lord of* Ireland, *and Duke of* Aquitain; *we promiſe for us and our Heirs, upon the pain of Body and Eſtate, and whatſoever elſe we can Incur, that we will Aſſiſt and Serve Him well and loyally againſt all Perſons that may Live and Dye, at all times when required, or ſummoned by our Lord the King of* England, *or his Heirs; and we ſhall not know of any Damage done to Him or them, but we will hinder it to the utmoſt of our Power, and will diſcover it to them: And for the Performance of this, we bind Us and our Heirs, and all our Goods, and further have Sworn it upon the Holy Goſpels. In Witneſs whereof we have cauſed theſe Letters Patents to be made and ſealed with our Seals. Given at* Berwick *upon* Tweed *the Eight and twentieth day of* Auguſt, *in the Twenty fourth Year of the Reign of our Lord the King of* England. Then follows the Form of the Homage which they then made to the King; but it having nothing in it Extraordinary, I therefore omit troubling you with it.

[2] *Id. Col.* 2488.

In much the like Form of Words did all the Biſhops, Abbots, Priors, Monks, Parſons, Vicars, Abbeſſes, Nuns, Earls, Barons, Knights, Citizens, Burgeſſes, Aldermen, Communalties of Cities and Burghs, and other Commoners and Inhabitants in *Scotland*, ſome time after make their Homage and Swear Fealty to *Edward* King of *England*, as appears by Four large * Rolls, ſtill remaining in the *Tower* of *London*, with this Title, *De Juramentis Homagii & Fidelitatis Edwardo Regi Angliæ nominatim Præſtitis, per unamquamq; inviduam Perſonam Regni Scotiæ, i. e. Of the Oaths of Homage and Fealty made to* Edward *King of* England, *by every individual Freeholder of the Kingdom of* Scotland. All theſe were made according to the Form preſcribed in this Great Council at *Berwick*, and by the joint Conſent of the Prelates and Noblemen of both Kingdoms, according to the Form ſet down in † *Henry de Knyghton*'s Chronicle.

* *Rot. Scot.* 24. E. I *Pecia* 20, 21, &c.

† *Col.* 4831.

But the Reader may pleaſe to obſerve, That though theſe things were then drawn up by *Andrew*, the Publick Notary there preſent, who alſo atteſted what was then done, and which were alſo entred among the Records of this Year; yet were not theſe deliver'd to the Keeper of the King's Rolls, until the Four and thirtieth Year of his Reign; as it is entred at the end of the ſame Roll, *Pecia* 25. And the like In-

Vid. Finem Rot. Scotiæ.

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ſtruments of Homage and Fealty ſtill remain with the Chamberlain of the *Exchequer*, in the Third Treaſury at *Weſtminſter*, with other things and Inſtruments in ſmall Boxes put up in Great Wooden-Cheſts: All which deſerves our particular Notice; ſince they do not only prove as Monuments of the entire Conqueſt and Submiſſion of the *Scotiſh* King and Kingdom at that time, but alſo ſhew the Partiality of all the *Scotiſh* Hiſtorians, who (I ſuppoſe) to conceal the Perjury of their Nobility and Gentry, paſs by all theſe Grand Tranſactions without taking the leaſt notice of them.

[3] *T. W.* The Earl of *Surrey* appointed by the King Governor of *Scotland*.

[4] *Id. H. K.* King *John* with many *Scotiſh* Noblemen ſent Priſoners into *England*.

The King upon his Return home pays and diſbands his Army.

Then [3] the King appointed *John Warren*, Earl of *Surrey* and *Suſſex*, his Lieutenant or Governor of *Scotland*; *Hugh de Creſſingham*, Treaſurer; and *William Ormesbey*, Chief Juſtitiary thereof; and a little before his Departure ſent the late King *John* to the Tower of *London*, where He was to be kept in free Cuſtody, and decently attended: [4] But the Lord *John Comyn*, and the reſt of the *Scotiſh* Noblemen who had taken his part, being alſo ſafely convey'd into *England*, were only forbidden to paſs the River *Trent*, under Forfeiture of their Heads, until the War between *England* and *France* ſhould be ended.

Thus the King, having ſubdued and ſettled the Kingdom of *Scotland*, disbanded his *Welſh* Forces, and diſmiſſed the *Iriſh*, (very well ſatisfied) who had lately come over to his Aſſiſtance under the Earl of *Ulſter*; (Standing Armies being then a Terror, as well as a Burthen, to the Nation) and returned into *England* with great Glory.

[5] *Id. Ib.* * *Rot. Claus.* 23. *E. I. M.* 3. The King calls a Parliament at St. *Edmundsbury*, with the Subſtance of the Writ of Summons to the Archbiſhop or Clergy.

Not long after his Return, He held a Parliament at St. *Edmundsbury*, on the morrow of *All-Souls* or *Third* of *November*, as appears by the Writs of Summons, bearing date the twenty Sixth of *Auguſt*, in the Four and twentieth Year of His Reign, at *Berwick* upon *Tweed*. In that directed to the Archbiſhop of *Canterbury*, He tells him, 'That he, 'with the other Prelates and Clergy lately aſſembled at *Weſtminſter*, 'had granted the *Tenth* of their Rents and Benefices for the Defence 'of the Kingdom, until the Feaſt of St. *Michael* then next coming, 'which Grant was well accepted by Him, in hopes of a more plentiful Aid from the Archbiſhop and others of the Clergy, and which 'they then promiſed ſhould be ſufficient for that end, unleſs in the 'mean time there was a Peace or Truce made between Him and 'the King of *France*; therefore He now enjoyned him to be preſent 'with the Prior, Archdeacons, and Procurators of the Clergy of the 'Church of *Canterbury* at *Bury* at the time appointed, to order the 'Quantity and Manner of the Subſidy that was then to be raiſed. The Writs to the other Biſhops and Abbots, *&c.* were like this; but thoſe to the Noblemen and Sheriffs were only in general to treat about the Dangers impending upon the whole Kingdom, and the Remedies to prevent them.

[1] *T. W.* The Laity grant the King a great Aid; but it is utterly refuſed by the Clergy becauſe of the Pope's late Bull, with he occaſion thereof.

In this Parliament the Citizens and Burgeſſes gave an *Eighth* Part of their Goods, and the reſt of the Laity granted a *Twelfth* part; but the Clergy nothing, by reaſon of a Conſtitution made the Year before, and publiſhed by Pope *Boniface*, by which, 'He forbad all Prelates and Eccleſiaſticks, as well Religious as Secular, to grant, as 'alſo all Emperors, Kings, Princes and other Temporal Lords, to take, 'any Taxes or other Payments from any of the Clergy, without the 'Conſent of the *Papal* See. This Bull bears date at *Rome* the Sixth of the Calends of *March* (*i. e.*) the Four and twentieth of *February*

this

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this current Year, and was (as ſome of our Authors relate) ſecretly procured by means of the Archbiſhop of *Canterbury*, to hinder the King from demanding ſuch great and exorbitant Taxes of the Clergy as He had formerly done; though *William de Nangis* Aſcribes it to the Complaints of the Clergy of *France*, by reaſon of the Great Aids that King *Philip* had lately levied upon them for the War againſt the King of *England*; and perhaps both of theſe Occaſions may be true: But as for the Bull it ſelf, ſince it does not now concern us, I have not thought it worth while to tranſcribe it, and therefore ſhall refer the Reader that deſires further ſatisfaction to [2] Dr. *Brady's* tranſlation of it, and to the *Latin* in his *Appendix, N.* 17 truly tranſcribed from * *Henry de Knyghton's* Chron. But to return to the Hiſtory.

[2] *Contin. Hiſt. of England. p.* 41.

* *Coll.* 2489.

King [3] *Edward*, in hopes of a more ſatisfactory Anſwer from the Clergy, deferred this weighty Affair to the next Parliament or great Council that ſhould be holden at *London*, on the morrow after St. *Hillary*; (or Fourteenth of *January* next enſuing) but in the mean time, to humble the Clergy, and frighten them into a Complyance, He cauſed all their Barns, Granaries and Storehouſes to be ſhut up and ſecured, although the Archbiſhop had now ſent Copies of the Pope's Bull to be publiſhed in all the Cathedrals of his Province.

[3] *Chron. Nic. Trivet. T. W. H. K.*

The King Summons another Parliament at *Weſtminſter*, and in the mean while cauſes all the Barns and Storehouſes belonging to the Clergy to be ſhut up.

We ſhall conclude this Year with an Account of the War with *France*, which by reaſon of the King's being taken up in *Scotland*, was but remiſly managed, and for the moſt part with ill Succeſs; for very early [4] this Year the King having appointed his Brother Earl *Edmund* (with the Earl of *Lincoln*, who was joyned in Commiſſion with him) to command a powerful Army that was then to be ſent into *Gaſcoigne*, and in the begining of *March* a numerous Fleet of Three hundred and fifty Veſſels being now got ready to tranſport them, they took Shipping, and though they were at firſt bound for *Gaſcoigne*, yet in their Paſſage thither they landed on the Coaſt of *Bretagne*, and took the Town of St. *Matthew*, which had been deſerted by the Inhabitants, and burnt a great many *French* Gallies in the Harbour; and the *Welſh* Auxiliaries marching up into the Country, kill'd many of the People and burnt their Houſes: Then going on Board again, they ſailed to the Port of St. *Gillemies de Boys*, where they burnt about Thirty Gallies and other Veſſels; and then they ſail'd on to the Coaſt of *Gaſcoigne*, and landed at *Blayes*, which they took without much Difficulty, and then marching forwards they took the Town and Caſtle of *Spare* or *Speare*, (as *Walſingham* calls it) and after that, divers others: But when he approached near *Bourdeaux*, and had encamped at a Village called *Rekall*, intending there to refreſh himſelf and his Army, the *French* Gariſon in *Bourdeaux* ſallied out upon them on the ſudden, thinking to have taken them wholy unprovided; but they were diſapointed in their Expectations, for the *Engliſh* having had ſome Notice of their Deſigns, had put themſelves in as good a Poſture of Defence as the ſhortneſs of the time would allow, ſo that iſſuing out of their Camp, there began a fierce Conflict between them and the *French*, who were at laſt forced to return to the City, with a great Slaughter of their Men, the *Engliſh* perſuing them ſo eagerly, that two or three *Engliſh* Knights with ſome other Officers of leſs note, entring the City too raſhly in perſuit of the Enemy were taken Priſoners; ſo that the *Engliſh* having ſet fire to part of the Suburbs, were

[4] *M. W. Id. Iv. Chron. Abing.*

The King ſends an Army into *France*, under the Command of his Brother Earl *Edmund* and the Earl of *Lincoln*.

The *Engliſh* defeat the *French*, and make them retreat in the City.

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Earl *Edmund* falls Sick at *Bayonne*, and there dies.

forced to retreat, and Earl *Edmund* upon ſome urgent Occaſions went to *Bayonne*, where not long after he fell Sick, and his Illneſs being much encreaſed by Diſcontent at his late bad Succeſs, as alſo for want of Money to pay his Soldiers, he deceaſed, to the great grief of the whole Army, and loſs to the *Engliſh* Nation, being a Prince of ſignal Valour and Affability: His Body was carried into *England*, but not buried at *Weſtminſter* until about half a Year after, and that with great Solemnity, the King Himſelf being Chief Mourner at the Funeral.

[2] *Pol. Verg.* The various Succeſs of the *Engliſh* Army after his deceaſe.

[3] *T. W.*

After this Prince's Deceaſe, [2] the *Engliſh* acted for a time on the Defenſive, fortifying their Gariſons and ſtoring them with Ammunition and Proviſions, whereby they might the better oppoſe ſo powerful an Enemy; yet not long after, [3] the Army under the Conduct of *Henry* Earl of *Lincoln*, who now commanded in Chief, undertook the Seige of the City of *Aux*; but after ſome time they were forced to raiſe it for want of Proviſions. About the ſame time the Earl of *Artois*, being ſent by the King of *France* into *Gaſcoigne*, took ſome ſtrong Places from the *Engliſh*; but in the mean while the Lord of *Sully* beſieged the Town of *Burgh* upon the Sea, in which the Gariſon obtained a ſhort Truce, until they could ſend to *Blaye* for Aſſiſtance, where none would undertake their Relief by reaſon of the great Danger of it, except Sir *Simon Montacute*, a brave and Valiant Knight, who ventur'd to Conduct a Ship Loaden with Proviſions through the middle of the *French* Gallies that lay there in wait to intercept him; whereupon the *French* General was forced to raiſe the Seige and return from whence he came. Theſe things were tranſacted during the King's Expedition into *Scotland* the laſt Autumn.

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* *Walſingham* Places this Wedding at Twelfth-tide; but he was miſtaken, for it will appear anon from a Record that He was then at *Ipſwich*.

[4] *T. W.* *Elizabeth* the King's Daughter married to the Son of the Earl of *Holland*.

The King kept his *Chriſtmaſs* at *Weſtminſter*, and at the * ſame time [4] married *Elizabeth* His Seventh Daughter to *John* Son and Heir to the Earl of *Holland* and *Zealand*, whom not long after the Nuptial the King ſent home, together with his Bride, under the Conduct of *Humphry de Bohun*, Earl of *Hereford* and *Eſſex*: But this Match did not prove fortunate at all, by reaſon of the young Prince's Death ſome Years before his Father, without any Iſſue; ſome time after whoſe Deceaſe this Princeſs married the ſame Perſon that had conducted her over. But it is now time to come to Affairs of greater importance.

[1] *Id. Ib.* The King holds a Parliament, where the Clergy perſiſt to deny him any aſſiſtance.

On the [1] Fourteenth of *January*, being the day after St. *Hillary*, the King held a Parliament, or rather a great Council of the Biſhops, Earls and Barons at *Weſtminſter*, where I do not find any Commons Summoned to it; but nothing was done, becauſe the Clergy in Obedience to the Pope ſtill perſiſted in their former Stiffneſs, and abſolutely refuſed the King any Aſſiſtance towards his Wars, whereupon the Laity alſo refuſed to give any thing at that time, which might be the Reaſon why the King was not long after forced upon ſuch violent Courſes to raiſe Money as you will find by and by; and as an earneſt of what He would do, He not long after encreaſed the Cuſtom upon Wool, from half a Mark to Forty Shillings upon each Sack exported.

* *Chron. MS.*

† *Col.* 2491.

A larger Account of theſe Tranſactions from other Writers.

But to give you a larger Account of the Eccleſiaſtical Affairs, ſince they are now ſo interwoven with the Civil, I ſhall from * *Walter Hemingford* and *Henry* † *Knyghton*'s Chronicles, ſhew you the Tranſactions of the late Convocation, which was then held at St. *Paul*'s Church for though

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all our Hiſtorians agree in this Refuſal of the Clergy, yet none of them are ſo expreſs in giving the Reaſons for it, as the two laſt mentioned Authors; and they tell us, That after the Clergy had refuſed to give the King any Aid, *Robert Winchelſey*, Archbiſhop of *Canterbury*, ſpake thus to the Biſhops then aſſembled with him in that Convocation; *My Lords, you know well that under Almighty God we have two Lords, a Spiritual and Temporal Lord; the Spiritual is the Pope, the Temporal our King*; *and although we owe Obedience to both, yet greater to the Spiritual than the Temporal: However, that we may pleaſe both, it were convenient to ſend Meſſengers Expreſs at our own Charge to our Spiritual Father, to have his Leave to grant the King ſome Aid, or at leaſt for Direction what we ought to do in ſo nice and difficult a Caſe.*

The Archbiſhop's Speech to the Biſhops about this matter.

This was all they then reſolved on; [2] only before the Convocation broke up, the Biſhops and Clergy deputed ſome of their own Body to attend the King, being then at *Caſtle-Acre* in *Norfolk*, to acquaint Him with their final Reſolution, and the Reaſons of it; which were ſo far from giving Him any Satisfaction, that they rather ſerved the more to exaſperate Him; inſomuch that He openly declared ‘That ſeeing ‘the Biſhops and Clergy had broken their Oaths of Fealty to Him, ‘in denying Him that Aſſiſtance, which by the Tenure of their Lands ‘they were bound to pay, He would be no longer obliged to protect ‘them; and immediately gave Order that all the Clergy of what Degree ſoever ſhould be put out of his Protection, and further Commanded, that all the Lay-Fees of the Clergy, as well Secular as ‘Regular, together with their Goods and Chattels ſhould be ſeized into his Hands by the Sheriffs, until they ſhould receive further Orders from Him: *Which Writs or Warrants to all the Sheriffs of *England* bear date at *Ely* the Twelfth of *February* in the Five and Twentieth Year of his Reign.

[2] C. Cot. The Biſhops and Clergy depute ſome to acquaint the King with their Reſolution, at which He is highly exaſperated, and thereupon put the Clergy out of Protection.

* Printed in Dr. *B's. Append. N.* 18.

Now that you may the better underſtand what was meant by being put out of the King's Protection, I will tell you what our [3] Writers ſay concerning this Matter, *viz.* That all Councellors, or Pleaders, were prohibited Pleading for Clergymen before any Temporal Judge; inſomuch that Sir *John Mettingham*, Lord Chief Juſtice of the Common Pleas, made this Declaration Publickly on that Bench, by the King's Order, in theſe Words: *You, Gentlemen, that appear as Attorneys and Sollicitors for the Archbiſhops, Biſhops, Abbots, Priors, and other Eccleſiaſtical Perſons, tell your Maſters that for the future no Juſtice ſhall be done them in the King's Court, for any Matter of Injury they ſhall receive; yet nevertheleſs Juſtice ſhall be done to all Perſons that will demand it, or make any Complaint againſt them.*

[3] *M. W. H. K. An. de Waverly.* What that Term of being out of the Kings Protection then Signified.

But notwithſtanding theſe ſevere Proceedings, the Archbiſhop of *Canterbury* fearing leſt any of the Clergy might comply with the King's Demands, on the very day the abovemention'd Writs were publiſhed, He in his own Cathedral, at the Conſecration of the Biſhop of St. *Aſaph*, towards the end of his Sermon, denounced Sentence of *Excommunication* againſt all ſuch Clergymen, as ſhould give any thing to the King contrary to the Pope's late Bull: However all the Clergy were not ſo ſtiff as this Arch-Prelate; for the Biſhops of *Norwich*, *Lincoln*, *Worceſter* and *Ely* (whom in Contempt [4] *Matt. Weſtminſter* calls *Shaveling Court-Prelates*) prefer'd the King's favour before that of the Pope's, as

Ibm. The Archbiſhop notwithſtanding denounces Sentence of Excommunication againſt all thoſe who ſhould give the King any Aid.

[4] *M.W.&C.W.H.*

did

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Yet however divers of them Compound with the King's Officers, and pay a 5th part of their Eſtates. Whereupon they obtain the King's Writ of Protection.

* *Vid.* Dr. *B*'s. Append. *N.* 19. where it is Printed at large.

did likewiſe ſeveral of the Inferior Clergy, who were content to compound, and pay a Fifth Part of their Eſtates to the King's Sheriffs, as was demanded; by which means they enjoyed all the reſt of their Revenues and Eſtates in Quiet: So likewiſe the Archbiſhop of *York*, with all his Dioceſs, as alſo the Biſhops of *Durham* and *Carliſle*, having deep Apprehenſions of the King's Diſpleaſure, ſoon complied with his Demands, and by the Payment of a Fifth part of their Benefices and other Goods, for the Defence of the Kingdom againſt Foreign Enemies, obtain'd the King's Writ of Protection for themſelves and their Churches, Tenants, Lands and Goods whatever, which (as thereby appears) were to be protected and defended from all Injury, Trouble and Damage, until the Feaſt of *All-Saints* next. * This Writ bears Date at *Walſingham* the Sixth of *February*, in the Five and twentieth Year of his Reign, and under his Privy Seal, and on the Eighteenth of the ſame Month paſſed the Great Seal by Warrant from the King.

**Rot. Clauſ.* 24. *Ed.* I. from *M.* 22. to *M.* 26. Of which ſort a great many were granted.

† Append. *N.* 19. 20. 21.

We find alſo many other Protections of the like nature entred upon the * Roll of this Year, which were granted to divers Clerks of the Province of *Canterbury*, upon their Submiſſion to the King, being to the Number of above a Hundred and twenty. Beſides theſe Writs of Security and Protection to ſuch whoſe Lands were not ſeized, nor Goods taken, He alſo granted Writs of Reſtitution to thoſe, whoſe Lands and Goods had been ſeized upon their Non-Compliance with the Royal Demands: Of each of theſe † Dr. *Brady* hath given us divers Examples in his *Appendix*, Collected from the Records in the *Tower*, which thoſe that are curious in ſuch matters may conſult if they pleaſe.

* *MS. in Bib. Cotton.*

The Deſign of their Writs, which ended in a Compoſition with the Clergy.

But the * Chronicle of *Norwich*, as well as the following Writs, inform us, That in perſuance of the King's Propoſals of Compounding for a Sum of ready Money with ſuch of the Clergy as were willing to comply with his Demands, certain Commiſſioners were appointed to go through all *England*, and to cite all Biſhops, Abbots, Priors and other Clergymen before them, and to let them know, on the King's behalf, that if they would, they might redeem their Eſtates out of his Hands for a reaſonable Compoſition, and thereby receive his Gracious Protection, provided they laid hold of this Offer before *Eaſter* following: Yet this had not (ſays my Author) much effect upon the greater or richer ſort of Clergymen of the Province of *Canterbury*, and particularly in *Norfolk*, where though many appear'd before the Commiſſioners, yet few Compounded and took out Protections, as they expected they would; ſo that the King, being inform'd of their Obſtinacy, iſſued out his Writs to the Sheriffs immediately to ſell the Goods of all ſuch Clergymen, who, having Benefices to the value of Forty Shillings *per Ann.* had not Compounded with his Commiſſioners, and taken out Writs of Protection: But this, though mention'd here, was not put in Execution until after *Eaſter*, when the time was elapſed wherein the King had allowed them to make their Compoſition.

The King grants Commiſſions to take Recognizances of ſuch Clergymen as had not ready Money.

And as for ſuch Clergymen as were willing to Compound, and had not ready Money to pay down, He gave Commiſſions to the Sheriffs and others, to take Recognizances of them for the ſeveral Sums which they had engaged to pay. Divers Inſtances of this Kind, with the manner of the Commiſſioners Proceedings upon them, are ſtill extant

on

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on the Rolls in the *Tower*; of which theſe following may ſerve for a ſufficient Proof.

Rot. Pat. 25. *Ed.* I. *p.* 1. *M.* 12. Dr. *B's. Ap. N.* 22.

The firſt of them is a *Writ or Commiſſion to *Adam de Wells*, and to the Sheriff of *Lincoln*, reciting, That whereas He had conceived Diſpleaſure and Indignation againſt ſome Clerks of Holy Church, refuſing to give an Aid for Defence of the Realm, *&c.* yet being willing now to do them a favour, He therefore Aſſigns him the ſaid *Adam* and the Sheriff, or One of them, to receive in his Name *Recognizances* from all Prelates and others of Holy Church, whomſoever, in the County aforeſaid, according to their Eſtates, that will have his *Protection* in the Form that is ſent and enjoined by Him; and to certify to the Chancellor the Names of thoſe that had made ſuch *Recognizances*, provided they were made between this and *Eaſter* next. This bears Date at *Clarendon* the Firſt of *March*, in the Five and twentieth Year of his Reign.

Another Wri to apprehend the Diſperſers of falſe News, and the Pul liſhers of the late Sentence of Excommunication.

There is likewiſe a Second Writ or Commiſſion, directed to the ſame Perſons, of the ſame Date, for the Apprehenſion and Impriſonment of Inventers and Diſperſers of *Falſe News*, and Publiſhers of the Sentence of *Excommunication* againſt the King's Miniſters and Subjects, for executing his Commands for the Profit of his Realm, or againſt Perſons of Holy-Church that have put themſelves under his *Protection* to ſave themſelves and their Churches.

†*Vid.* the particular Counties in Dr. *B's. Contin. p.* 47.

The like Writs were directed to ſeveral Knights-Bannerets and Sheriffs of † divers other Counties within the Province of *Canterbury*, as alſo to thoſe of the Counties of *Lancaſter* and *Cheſter*, within the Province of *York*; and alſo for *North* and *Weſt-Wales*, whoſe Names are needleſs to be here recited.

Commiſſioners appointed to compound with the Clergy-men that ſubmitted.

* *Id p.* 48.

And with theſe Warrants or Commiſſions there were likewiſe ſent certain *Inſtructions, how they ſhould Act; the Subſtance of which is, That they were to take ſufficient Security of Lay-men to anſwer the Sums the Clergy had engaged for; and that thoſe Clergy-men who could not find Lay-ſureties, were to bring to the Sheriff Goods to the Value of what they were to pay, to remain with him until they had paid it.

Inſtructions to the Commiſſioners and Sheriffs, how much they were to take of every Clergy-man that Compounded.

They were alſo to take of every Prelate and Parſon of a Church, or Clerk Beneficed, double the Value of the laſt Aid to the King, for that the Buſineſs and the Neceſſity is now much greater than at that time. And Laſtly, they were to cauſe to be enrolled the Sums *Recognized*, and every Man's Name, with the Names of the Pledges or Sureties, and ſend the Roll to the *Exchequer*, that ſo the Money may be Levied: And the ſaid Bannerets and Sheriffs, ſhall give to every Clerk, that ſhall have entred into *Recognizance* as aforeſaid, a *Certificate* under their Seals to the Chancellor, that ſo he may obtain the King's *Protection*.

Vid. Dr. *Brady's* Hiſtory *ib.* A Commiſſion to Swear theſe Commiſſioners, with the Oath they were to take.

Then follows a Commiſſion to the Coroners of each County, to Swear the ſaid *Commiſſioners*; the Form of which (being extant on the Roll) need not be here recited.

The Return of the Recognizances, ſtill extant on Record.

That theſe *Commiſſioners* and *Sheriffs* Acted according to their Commiſſions and Inſtructions, appears by ſeveral of the Original *Recognizances* and *Certificates*, with the Seals annexed to them, yet remaining amongſt the Records in the *Tower*; upon which the Eccleſiaſticks and Clerks, had *Protections* granted them, and Writs for the *Reſtitution* of their Temporalities, Goods and Chattles: The *Certificates* were in divers Forms,

directed

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* *Contin.* of Hiſt. of *Eng.* p. 49.

directed to the King's Chancellor, of which *Dr. *Brady* hath given us ſeveral Examples, as alſo of the Sum that was paid; to him therefore I refer the Reader, if he be curious after ſuch Niceties, which I omit, as thinking them not very pertinent to our Hiſtory, ſince the only uſe I know can be made of them, is, to ſhew us the King's illegal Proceedings, firſt in putting the Clergy out of his *Protection*, and then making them pay Money to re-obtain it.

[4] *W. H. C. Cotton.* All the reſt who refuſed to compound, remain excluded from the King's Protection.

[5] *Chron. Ch. Roſ.* And the Archbiſhop himſelf has his Horſes taken, and all his Goods ſeized.

But [4] as for the reſt of the Clergy who ſtood out, and refuſed to make any Compoſition, and take out the King's Writ of *Protection*, they remained wholy excluded from it, and were left to be injured and abuſed by every one that met them; they had often times their Horſes taken from them on the High-way, and [5] the Archbiſhop of *Canterbury* himſelf, reſolving to take a Journey to Court, on purpoſe to complain of theſe Injuries, had his Horſes ſeized by the King's Officers at *Maidſtone*; inſomuch that he was forced to borrow Horſes to make an end of his Journey: But though he uſed what Perſwaſions he could with the King, to encline Him to be more pitiful to the Clergy, yet it was all to no purpoſe; for looking upon him as the Chief Promoter of this Oppoſition, He treated him with the ſame or rather greater Severity than He did the reſt of the Clergy; for having had all his Goods, Plate, and Cattle ſeized, he was forced to diſmiſs his Family; and even his own Monaſtery of *Chriſt-Church* was forbid to receive Him; ſo that he was fain to board himſelf, attended by one Chaplain and Servant, with an ordinary Pariſh-Prieſt of his Dioceſs.

[1] *C. Nor.* The Monks of *Canterbury* debar'd of their Victuals.

And [1] for the Poor Monks of *Canterbury*, they were in a worſe Condition; for the Sheriff of *Kent* ſhut up the Doors of their Cellars, Kitchen and other Offices, ſo that having nothing to ſubſiſt of their own, they were forced to Live upon their Friends.

[2] *Mezeray Hiſt.*

* *Confederatio inter Regem & Comitem Flandriæ. Rot. Pat.* 25. *Ed.* I. *Part.* 1. *M.* 18.

I ſhall now return to ſome Civil Affairs, which, had it not been to break the Thrid of this Relation of the King's ſevere Proceedings with the Archbiſhop and his Clergy, ſhould have been related ſooner, ſince they happen'd at the beginning of this Year; when the King, being not at all diſcouraged with the Oppoſition of the Clergy, and firmly reſolved to carry on the War againſt *France*, thought fit to enter into a ſtrict Alliance Offenſive and Defenſive, with *Guy* Earl of *Flanders*, who was now highly provoked againſt the King of *France*, ever ſince he had been allured to *Paris* above a Year before, by ſeemingly very kind Letters from that King, where they were all made Priſoners; the Father and Mother were releaſed not long ſince, but the Daughter was ſtill detain'd there, with Deſign to prevent his Marrying her to Prince *Edward*, which would have proved very diſadvantageous to the *French* Intereſt; yet did not this hinder the King from proceeding in this Alliance agreed on towards the latter end of the laſt Year, but was not finiſhed untill the beginning of this, as appears by the League it ſelf, which is ſtill upon *Record in the *Tower*; wherein the King ſets forth by way of Preamble, and Complains, That He being a Peer of *France*, and in Homage to the High and Puiſſant King *Philip*, He had oppreſſed and uſed Him according to his own Will, contrary to Reaſon, Juſtice, and his own Deſert; and therefore becauſe He was ſo ſtrong and Powerful, as not to acknowledge any Superior, by Advice of his Prelates, Earls and Barons, He had made Alliances, and Covenants with his Friends, and particularly with the Earl of *Flanders*, with whom He entered into the following Articles, of which I ſhall only give you the Heads from the ſame Record in the *Tower*.

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The Articles between the King and the Earl of *Flanders*.

The *Firſt* and *Second* import, That a League Offenſive and Defenſive was now concluded between King *Edward* and the Earl of *Flanders*, and their Heirs, againſt the King of *France* and his Heirs and Confederates.

The *Third* is, That neither of thoſe Princes nor their Heirs, ſhould make any Truce or Ceſſation of Arms with the King of *France*, without the Conſent of each other.

The *Fourth*, That the ſaid Earl might the better ſuſtain the War againſt the King of *France* and his Allies, King *Edward* granted for Him and his Heirs, to the Earl of *Flanders* and his Heirs, every Year during the War, Sixty thouſand * Livres of *Black Turnois* or of other Current Money, at Two Payments, within the Earldom of *Flanders*; at every Payment Thirty thouſand Livers, the firſt to begin at *Chriſtmaſs* next enſuing, and the Second at the Nativity of St. *John Baptiſt* following.

* Four of theſe Livres made a Pound Sterling; ſo that this was after the value of 15000 l. Sterling.

The *Fifth*, That neither of the Princes ſhould purchaſe any Diſpenſation from the Pope, whereby the preſent Alliance might be Defeated; and if any ſuch were obtained, it ſhould not be made uſe of.

Then for the faithful Performance of this Agreement, King *Edward* Swore to the Earl of *Flanders* by his Proxies, the Lords *Hugh le Deſpenſer*, and *Walter Beuchamp*, Steward of his Houſhold; and further agreed with the Earl of *Flanders*, That his Son *Edward*, when he was of Age, ſhould agree to and confirm this Form of Alliance and Confederacy; which was Dated at *Ipſwich*, and Sealed with his Seal on the Morrow of *Epiphany*, or the Seventh of *January*, in the Twenty fifth Year of his Reign.

Note, this was, according to our Account, beginning the Year at *Chriſtmaſs*, *A. D.* 1297. but 96, according to this Record, which does not begin the Year until our *Lady-day*; and I ſuppoſe this was Seal'd at *Ipſwich*, becauſe the King accompanied his new Son in Law and Daughter to the Sea-ſide.

Moreover, there were other more private Additional Articles granted by another Inſtrument of the ſame Date, (and entred on the ſame Roll) in which, beſides the Annual Payments already mentioned, King *Edward* was alſo to give the ſaid Earl Three hundred thouſand Livres *Tornois* of the ſame Species with the former, which were to be paid at Three diſtinct Payments, according to the times therein limited and agreed on; which not being now material, need not to be ſet down.

Ibidem.

It * was alſo further agreed, That *Edward*, the King's eldeſt Son, ſo ſoon as he came of Age, ſhould Marry *Philippe*, Daughter to the Earl of *Flanders*, if the Match was not hindred by her Death, or any other occaſion that might happen; but if ſo, then he ſhould Marry his other Daughter *Iſabel*: Neither was the King or any other to hinder it, or procure any Abſolution of the Pope to the contrary. This is alſo Dated at the ſame Place, on the ſame day and Year as the former, and was likewiſe ſworn to by the ſame Procurators abovementioned; becauſe, as the Record ſays, it was not uſual for *Us* (*i. e.* the King's of *England*) to Swear in Our own Perſons; and therefore the ſaid * Lord *Beauchamp* to Swear on his behalf. But it appears by the ſame Record, that theſe Oaths were

* *Ibidem.*

A further Agreement that Prince *Edward* ſhould Marry the Earl's Daughter.

* *Monſieur* in the *French* Original.

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were taken at *Walſingham* in *Norfolk* on *Candlemaſs-Day,* in the Chapel of our Lady (as ſhe was then called) of that Place, to whoſe Image the King had taken a Pilgrimage, to Implore her Protection at this difficult Conjuncture, when He had ſuch Warm Diſputes with the Clergy.

Several Biſhops appointed to Swear to theſe Articles on the King's behalf.

And it there farther appears, That *Anthony* Biſhop of *Durham, Walter* Biſhop of *Cheſter,* and the ſaid *Hugh le Deſpencer,* were alſo appointed to Swear on the King's behalf to all the Articles of the Mariage agreed upon between his Son and the Earl of *Flanders* his Daughter. This bears Date on the *Tueſday* after *Candlemaſs-Day.* But to return to our *Engliſh* Affairs.

[2] *C. W. H. H. K.*

The King ſeizes all Mens Wooll and Leather, without paying for them.

The [2] King finding Himſelf diſappointed of any Aſſiſtance from the Laity, as well as the Clergy, was adviſed by certain Evil Counſellors to take ſeveral other Illegal Courſes to raiſe Money: One of which was to command all that had any *Wooll* or *Leather* by them, that they ſhould carry them to certain Towns near the Sea, by a Day appointed, where they ſhould receive ready Money for them by the King's Officers; but when theſe Commodities were brought thither, they Seized all the *Wooll* and *Hides,* without paying any Money for them, only gave the Owners *Tallies* to be paid when the King was able; nor were they contented with this, but they alſo exacted *Forty* Shillings upon every Sack of *Wooll,* as a Cuſtom, (inſtead of a *Noble,* which was the Antient Duty) and which they made the Owners Pay, tho' they received no Monies for their Commodities.

He alſo exacts Proviſions from each County for his Army.

☞

The [3] King now reſolved upon his Voyage to aſſiſt the Earl of *Flanders*; but not having Money to Pay for Proviſions for the Victualling his *Army* and *Navy,* exacted of each County Two thouſand Quarters of *Wheat,* and as many of *Oats,* beſides large Quantities of *Salted Meats* of all ſorts, and that without Paying any thing for them: By which Oppreſſions the Affections of the People were then (as they always will be upon ſuch Occaſions) very much Alienated from the King, ſo that they were ready to receive any Impreſſions that ſhould be made to his Diſadvantage: And indeed theſe violent Proceedings were one main Cauſe of the great Diſcontents that appear'd in that Aſſembly, which met not long after; for the King ſome time before had * Summoned a Parliament, or rather great Council, to be held at *Saliſbury,* on *St. Matthias*'s Day, or 25th of *February:* No Writs are to be found for the Citizens and Burgeſſes; neither were any Iſſued out to the Biſhops, Abbots, and others of the Clergy; ſo this Parliament or Council was held without them, but with very indiferent Succeſs; for when the King there propoſed to his Barons, and other Military Tenants, That He intended to ſend them over to the Relief of his Forces in *Gaſcoigne,* they readily agreed to it, provided, That the King would go over with them in Perſon.

* *Rot. Pat.* 25 *Ed.* 1. *M. Dorſ.*

The Parliament at *Saliſbury* held without the Clergy, but without any good effect.

The great Men of the Kingdom refuſe to attend the King into *Flanders,* with a great Diſpute between him and them

But *Walſingham* and *Knyghton* relate it ſomewhat otherwiſe: The former only in general, That at this Council the King asked the Great Men of the Kingdom to go over with Him into *Gaſcoigne*; which they refuſing to do, a great Difference aroſe between Him and them: Yet the * latter is more particular in his Relation, and ſays, That when each of the Great Men or Barons of the Kingdom began to Excuſe themſelves from this Voyage, the King grew ſo very Angry with them, that He plainly told them, *They either ſhould go, or elſe He would give*

* *Col.* 2493.

their

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their Lands to thoſe that would: At which Words many of them being provoked, a great Difference aroſe among them. Then the Earl of *Norfolk*, Marſhal, and the Earl of *Hereford*, Conſtable, of *England*, excuſed themſelves, ſaying, Their Offices obliged them by their Tenure only to attend the King when He went abroad in Perſon, which they were ready to do. [4] But when the King again urged the Earl Marſhal to go without Him, he replied, *Sir, I am ready to attend Your Perſon in the Front of the Army as I am bound by Hereditary Right:* To which the King reply'd, *But you ſhall go with Others, and that without Me:* The Earl return'd, *I am not obliged to it, neither, Sir, will I go over without You:* The King thereupon (being put into a violent Paſſion) broke out into theſe Words, *By God, Sir Earl, You ſhall either go or hang:* To which he ſaucily replied, by the ſame Oath, *Sir King, I will neither go, nor will I hang*; and ſo he departed without taking any leave, and the Parliament was thereupon preſently broke up in Diſorder.

[4] *Ch. Abing. C. W. H.*

The Marſhal and Conſtable likewiſe refuſe it.

Whereupon the Parliament broke up in diſorder.

The Chronicle of *Norwich* is alſo very particular in the Account of the Tranſactions of this Parliament, wherein, it ſays, The Earl of *Norfolk*, Marſhal, and the Earl of *Hereford*, Conſtable, interpoſed themſelves, on the behalf of the *Community*, or General Body of the Realm; alledging, That neither they themſelves were obliged to perform their Offices at this time, nor were the King's Tenants *in Capite* bound by their Tenures to go over with the King, or perform any Service beyond Sea in that Expedition, for the following Reaſons.

The Reaſons of the Conſtable and Marſhal why they were not obliged to attend upon the King.

Firſt, Becauſe it ſeems to the whole *Community*, that the Notice given by the King's Writs for this Expedition was not ſufficient, ſince they do not aſſign any Place whither they were to go, ſo as they might know how to make due Proviſion for this Voyage.

Secondly, Becauſe it is commonly reported, That the King deſign'd to paſs over into *Flanders*; and if ſo, it ſeems to the whole *Community*, that they Owe no Service to that Country; becauſe, neither they themſelves, nor their Anceſtors or Predeceſſors, ever perform'd any Military Service there.

There were likewiſe other Reaſons then given againſt this Expedition; which ſince they relate to the late Illegal Taxes, and other Unjuſt Prizes or Takings of the Subjects Goods againſt Law, and are more largely mention'd in the Remonſtrance of their Grievances, which was ſent to the King a little before his Departure beyond Sea, I therefore forbear ſetting them down here. But notwithſtanding this ill Correſpondence between the King and theſe Great Men at this Aſſembly, it ſeems they agreed well enough how to proceed with the Clergy: For the * Anonimous Chronicle in the *Bodleian* Library relates, That the King, and his Barons and Knights there aſſembled, paſſed an *Ordinance*, That if the Clergy did not make their Peace with the King within a certain time then limited by the ſaid Barons and Knights, *viz.* before *Eaſter*, they ſhould loſe all that was already ſeiz'd by the King; and it ſhould not be Lawful for any one from thenceforth to have any common Dealings with them: Upon which, a great many of them began to make their Peace with Him.

* *Inter Laud.* K. 84.

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[5] *H. K.* *Col.* 2493. The two Earls joining with other Barons, *&c.* raiſe Men, and hinder the King's Officers from taking the Wool and Leather in ſeveral Counties

Preſently after the breaking up of this Aſſembly, [5] the two Earls above-named having drawn over to their Party a great many of the other Earls, as well as Barons and Military Tenants, they encreaſed to the number of Fifteen hundred Horſe; ſo that the King was forced for the preſent to Diſſemble his Reſentments, and to let them alone: And when they return'd into their own Countries, they would not permit the King's Officers to take any *Wool*, *Leather*, or *Proviſions*, contrary to Law, upon pain of their Lives. For [1] theſe Noblemen were ſo incens'd at theſe and other Oppreſſions, that they reſolved to hold a ſeparate Aſſembly or Parliament in the Foreſt of *Wyre* in the Marches of *Wales*, to conſider how to prevent thoſe Extortions.

[1] *M. W.*

* *Contin. Hiſt.* p. 55.

I have been the more particular in relating theſe Tranſactions that happened in this Great Aſſembly at *Salisbury*, becauſe they ſet forth the Original of the Differences between the King and thoſe Great Officers his *Conſtable* and *Marſhal*; as alſo of the Diſcontents and Grievances of the reſt of the Nobility: Dr. * *Brady* Erroneouſly making all theſe to have proceeded from a Treaſonable Combination between the Archbiſhop of *Canterbury* and thoſe Noblemen. I ſhall now return to the Hiſtory, and intermix ſome Eccleſiaſtical Affairs of great moment.

MS. Land. Anon.

The Archbiſhop of *Canterbury* hearing of theſe ſevere Proceedings at the Council at *Salisbury*, went thither to the King, having firſt order'd another Convocation of the Clergy to be held upon *Mid-Lent Sunday*; and in the mean while publiſh'd a Sentence of *Excommunication* againſt all the Violators of Eccleſiaſtical Liberty, and againſt ſuch as in Contempt of the Pope's Conſtitution, ſhould ſeek to preſerve themſelves: In Oppoſition to which, the King publiſhed his *Prohibition*, dated *Feb.* 27. Upon the 7th of *March* the Archbiſhop came to *Salisbury*, and found the King at Maſs in the Cathedral: He received him with great Reſpect, and the next Day gave him a private Audience, with leave to ſay what he would. The Archbiſhop ſpake without any Interruption; and the King heard him patiently; and in Anſwer, told him, That if the Pope Himſelf, had (as the Archbiſhop) Temporal Poſſeſſions in *England*, He thought He might Lawfully take of them, for the Defence of his Realm and the Church of *England*: Adding, That this was a Cauſe in which He could dare to Die, ſince He thought He did nothing Unlawful in it, ſo great was the Neceſſity that then lay upon Himſelf and the Kingdom.

The Archbiſhop replied, That he did not ſee the Neceſſity was ſo great, as to Excuſe them from the danger of the Pope's *Conſtitution*, if they ſhould give his Majeſty any thing without his Licence; and then propos'd, That the Matter ſhould be laid before Him, and his Anſwer expected to it, which the King accepted of; and they thereupon agreed, That in the mean while they would on both ſides conſider what was ſafeſt to be done: But becauſe the Archbiſhop would come to no Concluſion before the Meeting of his *Synod*, it was farther reſolv'd, That He ſhould ſend ſome of his Council to it, to deliberate with the Prelates and Clergy what Courſe would be beſt to take. In the mean time, the Archbiſhop deſir'd the King to ſuſpend his Rigour againſt the Clergy, which He promiſed to do.

[2] *M. W.*

The Archbiſhop of *Canterbury* met the Biſhops and Clergy the 26th of *March* in the [2] Convocation or Synod held at St. *Paul*'s Church, to conſult what was further to be done to compoſe their late Differences with the King; but it was all to no purpoſe; for the Archbiſhop himſelf, and the major part of the Biſhops and Clergy, did not think it ſafe for them to grant the King any Aid without the Pope's Conſent, tho' two Lawyers, and two Fryars Preachers, came into the Aſſembly, (I ſuppoſe ſent thither by the King's Order) who argued, and endeavoured to prove, That the Clergy, in time of War, notwithſtanding the Pope's *Prohibition*, might lawfully Aſſiſt the King; but it ſeems their Speeches had no Effect upon them; ſo that the Aſſembly broke up, without coming to any other Concluſion, [3] than that the poorer ſort of the Inferiour Clergy, making great Complaints of their being like to be quite ruined, by reaſon that the King's Officers had ſeized upon all they had, the Archbiſhop and the reſt of the Biſhops conſented to connive at thoſe, who out of meer neceſſity ſhould comply with the King's Demands, and procure his *Protection* by Payment of a Fifth part of their Goods, according to the late Taxation of the Biſhops of *Wincheſter* and *Lincoln*; which had that good effect, That moſt of the Clergy of the Province of *Canterbury*, except it were ſome of the more Rich and Obſtinate, made their Compoſitions, and paid their Fines accordingly: But I ſuppoſe that which made them the more Compliant, was, That before the Meeting of this Aſſembly of the Clergy, the King had granted a * *Commiſſion* under his Great Seal to *Hugh le Deſpenſer*, and others of his Council, whom the ſaid *Hugh* ſhould think fit to nominate, who were thereby impower'd to attend the Synod on the Day of their Meeting, and ſerve them with the following *Prohibition*, which ſince it is very extraordinary, and the firſt of its kind, I ſhall here ſet down *verbatim*.

The Archbiſhop of *Cant.* holds another Synod to conſider what was farther to be done in this Exigency, but it breaks up without coming to any Concluſion.

[3] *C. Nor. Chron. de Dunſtaple.*

The King ſends the Synod a Prohition.

* *Rot. Pat.* 25 *E.* I. *P.* 1. *M.* 9.

[4] Edward, *By the Grace of God, King of* England, *&c. To the Honourable Fathers in God, the Archbiſhops, Biſhops, and other Prelates, and to all thoſe of the Clergy, who at* Mid-Lent *next coming, are to meet at* London, *Greeting: We forbid you all, and every one of you, upon as much as you can forfeit to Us, That you, or any of you, do Ordain, or Cauſe to be Ordain'd, or Aſſent to any Ordinance in that Aſſembly, that may turn to the Prejudice, or Grievance of Us, or any of Our Miniſters, or thoſe that are in Our Peace, or Allegiance, and in Our Protection, or Adherents, or any of them.* Given at *Stirmiſter*, the 21ſt Day of *March*, in the 25th Year of Our Reign.

[4] *Ibidem. Vid. Dr.* Brady's *Appendix*, N. 23.

The Form of it very extraordinary.

And [5] they were alſo at the ſame time forbidden to publiſh any Sentence of *Excommunication* againſt the King, his Officers, or thoſe that had obtained his Protection; wherefore, the Archbiſhop, finding there was no more now to be done, diſmiſſed the Synod with this dubious Sentence, *Salvet unuſquiſque animam ſuam: Let every Man ſave his own Soul.*

[5] *M. W.*

They are alſo forbidden to publiſh any Sentence of Excommunication.

Alſo about this time, after the breaking up of this Synod, the King, to ſhew his particular Devotion to *Edward* the *Confeſſor*, offered up the *Crown, Scepter*, and *Throne*, of the late King of *Scotland*, at that Saint's Shrine.

Not long after which, being on Progreſs into the Weſt of *England*, to view the Sea Coaſts, and to haſten his Naval Preparations, the King began now to remit his former Severity: For there hearing that great num-

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The King iſſues out Writs to ſet thoſe Prieſts at Liberty that had been impriſoned for Publiſhing the Sentence of Excommunication.

† *Rot. Clauſ.* 25 E. I. *M.* 18. 19.

bers of Rectors, Vicars, Prieſts and Clerks, had been lately impriſoned for Publiſhing the Archbiſhop's Sentence of *Excommunication* notwithſtanding the King's *Prohibition* to the contrary, as alſo for ſeveral other Miſdemeanors againſt Him; He iſſued divers † Writs, ſtill upon Record, directed to the Sheriffs of the ſeveral Counties of *Devonſhire* and *Cornwall*, commanding them to ſet at Liberty thoſe Prieſts and Chaplains therein named, for Publiſhing the Pope's Letter or Bull (containing the Sentence abovementioned.) Theſe Writs bear Date at *Plimpton* in *Devonſhire* the Five and twentieth of *April*; from whence it ſeems it appears, that the King began to grow weary of his Severity to the Clergy, and was willing to ſhew them ſome Favour.

* *Ch.* 25. E. I. *M.* 18. *de Servitio* & *Navibus de Haſtings*, *Vid.* Dr. B's. *Ap.* N [illegible]6.

He alſo iſſued out his Writs to the *Cinque-Ports* to provide the Service due to him.

But it is time to ſpeak of Matters of greater Moment. Whilſt the King continued at the Place laſt mentioned, being now reſolved to undertake his Voyage to *Flanders* with all poſſible Expedition, He directed his * Writs or Warants to the Barons and Good Men of his Ports of *Haſtings*, *Feverſham*, *Sandwich*, *Hithe*, *Wincehelſey*, *Romenhale*, *Dover* and *Rye*; commanding them to have the whole Service of their ſeveral Ports that was due to Him, ready Armed and Equipped at *Winchelſea*, on the morrow of St. *John* the *Baptiſt* next coming, to go whither He ſhould Command them; and He required them further, That beſides their Service they ſhould fit out and arm all other Ships of Forty Tun Burthen or above, to be ready at the ſame Day and Place, to go with their other Ships into his Service; *but that He would not have this to be drawn into Example for the future.*

† *Rot. Clauſ.* 25. *Ed.* I. *M.* 19. *Dorſ.*

As alſo to the Bayliffs and Inhabitants of other Ports, to ſet out Ships.

* *Ibm. M.* 19. 20.

On the ſame Day, and at the ſame Place, He directs his † Warants to the Bayliffs and Good Men of *Yarmouth*, and to the Mayors and Bayliffs of all Ports in *England*, the Occaſion being extraordinary, to arm and ſet out all the Ships (of Forty Tuns and above) of their ſeveral Ports, ſo as they might be at *Winchelſea* on the morrow of St. *John Baptiſt*.

The King alſo at the ſame time ſent out his Warants and Orders of the ſame Date to the Warden of the *Cinque-Ports*, and the Sheriffs of all Counties in which there were Sea-Ports, to repair to them, and take care the Ships ſhould be Armed and Equipped and ready at *Winchelſea*, at the time He had Commanded.

Theſe Records, though of no great Importance in themſelves, yet may be of ſome uſe to ſhew the Antiquity of the King's Prerogative, in requiring the Inhabitants of the *Cinque-Ports*, and other great Sea-Ports of *England*, to ſet out ſo many Ships of War upon any Invaſion or great and neceſſary Expedition abroad, yet without making it an Example for the future; but can by no means be a Precedent for what it was long after made uſe of, to make out the King's Prerogative to levy *Ship-Money* all over *England*.

* *Rot. Clauſ.* 25 *Ed.* I. *M.* 17. *in Chedul.*

All the Sheriffs of *England* are wrote to, to warn the Tenants *in Capite* to attend the King into *Flanders*.

And ſince He alſo reſolved to raiſe a powerful Army to attend Him in this Expedition, * He wrote to all the Sheriffs of *England*, and to *Reginald de Grey*, Juſtitiary of *Cheſter*, to give notice to all thoſe in their ſeveral Bayliwicks or Counties, that had twenty Pounds *per Annum* or above, as well within Liberties as without, whether they held of Him *in Capite* or not, to provide themſelves with Horſe and Arms, and to be ready to go with his own Royal Perſon for the Defence of themſelves and the whole Kingdom, whenſoever He ſhould ſend for them. This is likewiſe dated at *Plympton*.

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And ten days after this, the King being now upon His Return out of the *Weſt*, He reinforced his former Warant by another * Writ, directed to the ſame Parties as the former; commanding them to Summon the ſaid *Military* Tenants, as are mentioned in the former Writs, to be with Him at *London*, provided with Horſe and Arms as they ought to be, Eight days after St. *John Baptiſt*, to paſs in Perſon beyond Sea, *&c.* This bears Date at *Loders* in *Dorſetſhire* the Fifteenth of *May*.

* *Rot. Cl.* 25. *E.* I. *M.* 15. *Vid. Dr. B's Ap. N.* 27.

He likewiſe at the ſame time directed his † Precepts to the ſame Perſons, to Summon the Archbiſhops, Biſhops, Abbots, Priors, and other Eccleſiaſtical Perſons, and alſo Widows, and other Women, within their Counties, that held of Him *in Capite* by Military Service, or Serjeanty, or of Wards in his Hands, or Tuition, to be at the ſame time and Place, with their whole Service of Horſe and Arms, to paſs as aboveſaid.

† *Ibm.* All Eccleſiaſtical Tenants are likewiſe Summoned.

The like * Writs He alſo ſent to *Edmund* Earl of *Cornwall*, and to *Roger de Bigod*, Earl of *Norfolk* and Marſhal of *England*; and to all other Perſons therein named, being about an hundred and twenty two, all Tenants *in Capite*.

* *Ibm.* Writs of Summons ſent to all the great Tenants in *Capite*. As alſo to all others of inferior degree.

But beſides theſe Writs laſt mentioned, the King alſo reinforced his former Writs to the Sheriffs of *England*, and Juſtitiary of *Cheſter*, commanding them to execute his former Writs of Summons, and to certify under their Seals the Names of all ſuch as had Twenty Pounds *per Annum*, or above, of whomſoever they held it, in their ſeveral Bayliwicks or Counties. This bears Date at *Portſmouth* the Twenty-fourth of *May*, when the King reſolved to paſs over into *Flanders*.

Notwithſtanding all this Care, moſt of the Noble and Military Men of *England* did not obey this Summons; but the King was forced to put off his Expedition for ſome time longer, by reaſon of a great Rebellion of the *Scots*, which began in *May* on this Occaſion. [1] *Hugh de Creſſingham*, a Clergyman, having been appointed the King's Treaſurer in *Scotland*, executed his Office with great Pride and Covetouſneſs, ſo that he became extreamly hated by the People; to whom we muſt alſo joyn *William de Ormesby*, the King's Juſtitiary there, that had dealt very ſeverely with the *Scots*, Out-lawing and Baniſhing all thoſe who had refuſed to Swear Fealty to King *Edward*; which provoked them to that degree, That theſe *Out-laws*, being now become very Numerous, conſpired together, and choſe one *William Wallys* their Captain; who (having been Out-law'd for killing an *Engliſh* Man) was a Man of great perſonal Courage, and excited them to take up Arms, as they immediately did; and falling upon the *Engliſh* on the ſudden, killed all they met without diſtinction, and drove the King's Juſtitiary and other Officers out of the Kingdom. But that which gave the *Scots* better Opportunity to execute their Malice, was, That [2] the Earl of *Surrey*, whom the King had left his Lieutenant there, not finding the Air of *Scotland* to agree with him, was then retired into the North-parts of *England* for his health, without leaving a ſufficient Force behind him to keep that Nation in Subjection; ſo that before any Army could be raiſed, and ſent againſt them, divers of the Biſhops and Noblemen ſiding with *Wallys*, had formed themſelves into a Body, and

[1] *H. K. Col.* 2513. The Expedition put off; by reaſon of a Rebellion of the *Scots*, with the occaſion of it.

The *Scots* under the Conduct of *Wa* *lys* give the *Engliſh* a gre Defeat.

[2] *C. W. H.*

and carried all before them, unleſs ſome Gariſons which were ſtill held out by the *Engliſh*.

[3] *H. K. Col.* 2515. The King orders the Earl of *Surrey* to march againſt the *Scots*.

So [3] ſoon as the King had notice of this Rebellion, He was much ſurpriſed at it; but becauſe He was now engaged to go over in Perſon to aſſiſt the Earl of *Flanders*, He immediately Commanded the Earl of *Surrey*, his Lieutenant, to raiſe the Militia on the North of *Trent*, and therewith to march into *Scotland*, to reduce that Country to his Obedience.

[4] *Id. Ib. T. W.* Upon his Approach the *Scotiſh* Commanders ſeem deſirous of a Treaty.

Then [4] the Earl having raiſed a ſufficient Force in the North parts (being himſelf not yet very well in health) he ſent his Nephew the Lord *Henry Piercy* before him into *Scotland*, who marching with his Army as far as *Aire*, heard the *Scots* were encamped at *Irewin*, about four Miles off, under the Command of the Biſhop of *Glaſco*, with the Lord Steward of *Scotland*, *William Douglas*, *Andrew Murrey*, and *William Wallys*, the Chief Promoter of this War. Theſe finding themſelves inferior in Forces to the *Engliſh*, began to be afraid, and ſeemed deſirous to make Peace with them, upon condition they might have their Lives, Limbs and Eſtates ſecured to them, and that all things might be pardoned and forgot; which Conditions appeared ſo reaſonable, that the Lord *Piercy* eaſily agreed to them; and the Articles being put into Writing, were ſent to the King to be confirm'd; and He being deſirous to ſee an end of this troubleſome Affair, that his Voyage in *Flanders* might not be retarded, confirmed them accordingly.

The Articles of Peace drawn.

[5] *Ibid.* *William Wallys* defies the Earl of *Surrey*.

Then [5] the Earl of *Surrey* went preſently into *Scotland*, to ſee theſe things put in execution; which however the *Scots* never meant to perform. For though they were to give Hoſtages for their future Obedience, yet they ſtill defer'd it until *William Wallys* with his *Scotiſh* Men had marched off from this dangerous Paſs; and taking Advantage of the Earl of *Surrey*'s Remiſsneſs, reinforced their Army, and then bidding the *Engliſh* General Defiance, renewed the War, and refuſed to lay down their Arms until all their Antient Laws, Cuſtoms and Privileges ſhould be confirmed to them by the King; inſomuch that the Biſhop of *Glaſco* and the Lord *William Douglaſs* being aſhamed of theſe Delays, leſt they might be thought Traytors in joyning with their Country-men, yielded themſelves Priſoners to the Earl of *Surrey*.

[1] *H. K. ib.* *Wallys* Plunders the Biſhop of *Glaſco*'s Houſe.

The *Scots* [1] thus making frivolous Excuſes and Delays, trifled away the time until the latter end of the Summer; when *Wallys*, to be revenged on the Biſhop of *Glaſco* for leaving him, fell upon the Biſhop's houſe and plundered it of all the Goods, and carried away his Family Priſoners. But for the reſt of *Wallys*'s Actions, I ſhall ſpeak more of in due time.

The different Accounts of Hiſtorians concerning this *Wallys*.

I muſt here obſerve the great Partiality of the *Engliſh*, as well as the *Scotiſh* Hiſtorians, in their Accounts of theſe Tranſactions; the former making this *Wallys* no better than a common Thief, or High-way-man, whereas the other repreſent him (as he really was) a Man of Quality, Son to a Knight of the ſame Name, who being of a Publick Spirit, reſolved to lay hold on the firſt Opportunity to reſtore his Country-men to their Antient Liberties; and to this end excited and joyned with the Noblemen of *Scotland* to take up Arms, as hath been already related: So likewiſe the *Scotiſh* Hiſtorians conceal their Countrymen's ſubmitting themſelves as I have mentioned before; and on the other hand the *Engliſh* give but a ſlight Account of the great Defeats they then received. But to return to *England.*

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[2] *John Everſden* relates, That the King, on the Octaves of St. *John Baptiſt*, held a Parliament at *Lincoln*; where the former Differences between Him and the Earls and Barons were again renewed: But that muſt needs be a miſtake; for it appears by certain * Writs, dated at *London* the 24th of *May*, That the King Summoned all the Military Tenants of *England* to meet Him there the Sunday after the Octaves of St. *John Baptiſt*, which is almoſt the very time when this Parliament muſt have met at *Lincoln*; and therefore all that this Author mentions concerning this Parliament is a Miſtake; and indeed he is the only one that ſays any thing concerning this Meeting: But this is certain, That on the Octaves aforeſaid, or Eighth of *July*, the greateſt part of the *Militia* or Tenants *in Capite* of *England* met the King at *London* according to His Summons, in order to attend Him into *Flanders*. In this Aſſembly of Military Tenants, the Earl of *Norfolk*, then Marſhal, and the Earl of *Hereford*, Conſtable, being required to do their Duties in muſtering the Army, excuſed themſelves, and requeſted Him to appoint ſome others of his Houſhold to do that Service, and ſo retired to their reſpective Dwellings: But of this Tranſaction you will have a more particular Account in that Declaration, which the King not long after iſſued concerning it; but He was not for all that diſcouraged from his intended Expedition, but on the Five and twentieth of *July* * wrote again to all his Sea-Ports, to ſend their Ships to *Winchelſea* with all the ſpeed they could.

[2] *C. J. E. ad hunc An.* The King is ſaid to have held a Parliament at *Lincoln*; but it is a miſtake.

* Printed in *Dr. B's. Append. N.* 27, 28.

M. W. The King meets the Militia of *England*, when the Conſtable and Marſhal refuſe to muſter them.

* *Rot. Clauſ.* 25 *Ed.* I. *M.* 9. *Dorſ.*

The King being thus at Variance with theſe Two Great Officers of the Kingdom, it no doubt made Him the more deſirous, before He went away, to be reconciled to the Archbiſhop of *Canterbury*; wherefore He now wrote to all Sheriffs of Counties in a * Writ for that purpoſe, to reſtore to the Archbiſhops and Biſhops all their Lay-Fees, with the Goods and Chattels found upon them, and in Particular to the Archbiſhop of *Canterbury* all his Lay-Fees, together with his Oxen, Carts, or Waggons, and all other his Goods and Chattels, being in the ſame State they were then in when they were ſeized. This bears Date at *Weſtminſter*, the Eleventh of *July*.

The King deſires to be reconcil'd to the Archbiſhop and Biſhops.

* *Rot. Clauſ* 25 *Ed.* I. *M.* 21. *pro Arch. Cant. de Laic. Feod. reſtituend. Vid. Dr. B's. Append. N.* 29.

And iſſues out a Writ to reſtore their Goods.

And that He might extend his further Favour to all the reſt of the Clergy, that had ſubmitted and were reconciled, He not long after gave a General * *Protection* to all thoſe that had not received it before, and wrote to the Sheriffs of *London*, and others, ſetting forth, That at the Requeſt and Prayer of the Archbiſhop of *Canterbury*, and other Biſhops and Prelates of his Kingdom on behalf of the Clergy, they ſhould maintain and defend all the Clergy in their Bailiwicks, their Tenants, Lands, Goods, Rents, and all other their Poſſeſſions, not permitting them to receive any Injury or Moleſtation, in their Perſons or otherwiſe, though they had not actually taken out his Letters of *Protection.* Witneſs the King at St. *Pauls*, *London*, the Thirty firſt of *July*.

* *Rot. Clauſ.* 25 *Ed.* I. *M.* 9. *Vid. Dr. B's. Append. N.* 30.

He further Grants a General Protection to all the reſt of the Clergy.

The Reaſon of theſe his Proceedings was (as *Walter Hemingford*'s Manuſcript Chronicle, and *Henry de Knyghton* expreſly tell us) becauſe ſeveral of the Great Men of *England* being now met at *London*, in order to go over with the King, ſome of them ſeemed not well ſatisfied, but plainly told Him, that it would not be convenient for Him to go over, until He had firſt reconcil'd Himſelf to his Spiritual Father the

The reaſon of theſe Proceedings.

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Archbiſhop of *Canterbury*, and his Other Great Men, who had lately oppos'd Him; whereupon the King coming more to Himſelf, and ſeeing that this was a juſt Requeſt, and according to Reaſon, He immediatly ſent for the Archbiſhop, and laying aſide all former Reſentments, received him again into Favour, committing the Prince his Son to his Care and Conduct, the Lord *Reginald de Gray* being joined with him, to be his Chief Councellors during the King's Abſence.

Ad hunc An.

The King asks Pardon of the People for what He had done contrary to Law; with his Speech before his Departure.

This is alſo confirm'd by *Matt. Weſtminſter*, who relates this matter more at large, *viz.* That the ſaid Archbiſhop having about the beginning of *July* recover'd the King's Favour, and having his Temporalties reſtor'd, accompanied Him to the Great Hall of the Pallace of *Weſtminſter*; where before the Prince his Son, the Archbiſhop, and the Earl of *Warwick*, He asked Pardon of all the People that ſtood round about Him, with Tears, Saying, *That He had Govern'd them, not ſo well as became their King: And for that part of their Eſtates, which they had either given Him, or which his Miniſters had extorted from them, He had only taken it to this end, that they quietly enjoying the Reſidue, He might more Powerfully ſubdue all thoſe that thirſted after the Blood of the* Engliſh: Further adding theſe Words; *Behold, I am ready to expoſe my Perſon for your ſakes; and I only deſire that in my Abſence you would look upon Me as if I were preſent, and if I return, I will reſtore whatever has been taken away; but if I do never come back again, you may Crown My Son King.* Upon this the Archbiſhop burſting out into Tears, engaged for the King, That all theſe Things ſhould be faithfully perform'd; and all the People there preſent holding up their hands, vowed their Fidelity to Him: In which Point the former Author is more exact, and ſays, That all the Great Men, and People there preſent, promiſed an entire Fidelity to Him and his Son; and then the King took his Leave of them, and deſired their Prayers. Whereupon ſome Prayed for Him, *whilſt others curſed Him in their Hearts* (as my Author truly obſerves) and which is very natural when the People are under an Apprehenſion that the Princes deal not ſincerely, but comply meerly to ſerve a preſent Turn.

T. W. ad An. 1298.

The King being thus reconciled to the Archbiſhop on the laſt day of *July*, and having received all the reſt of rhe Clergy into his Protection, on the firſt of *Auguſt* held a Great Council or Parliament (as *Walſingham* calls it) at *London*; but what was done there ſeems not of any great Conſequence; only our Author ſays, That He again openly received the Archbiſhop into Favour, and then Commanded all the Great or Noble Men there preſent, to ſwear Fealty to Prince *Edward* his Son, and to recognize him for right Heir of the Kingdom. The King alſo there again excus'd Himſelf for his late illegal Exactions, imputing them to the Neceſſities of the preſent War. Our Author alſo makes the Two Earls, the Conſtable and Marſhal, to have before withdrawn themſelves from this Aſſembly, refuſing to attend Him into *Flanders*. But notwithſtanding that *Walſingham* calls this Meeting a Parliament, yet it was certainly no more then a Great Council of his Earls and Barons; for there are no Writs of Summons to be found on the Rolls for any Parliament at this time, and indeed it was needleſs, for it appears by the ſame *Rolls, that the King's Son held a Parliament on the Morrow after *Michaelmaſs*-day following.

* *Rot. Clauſ.* 25. *Ed.* I. M. 6. *Dorſ.*

It

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I E. C. N.
The Archbiſhop holds a Synod at *London*, about granting the King an Aid, but is again refuſed.

It is time now to intermix ſome Eccleſiaſtical Affairs with ſo much of Military and Civil; and therefore I ſhall obſerve, That though the King's preſent Uſage of the Clergy was very favourable, yet it did not meet with a ſuitable Return; for at the Feaſt of St. *Laurence*, or Tenth of *Auguſt*, the Archbiſhop held another Synod of all the Clergy at *London*, to treat again about granting the King an Aid, which He had ſo often required of them; but He now met with no better an Anſwer than before, they ſtill alledging, *That they durſt not do it without the Pope's Licence*, which the King had not yet obtained, nor deſir'd, as I can find; and they were ſo far imbolden'd (I ſuppoſe by the late Differences between the King and the Marſhal and Conſtable) that they ordered the Sentence of *Excommunication* to be publiſhed in all Cathedrals and other Places of Note, againſt all ſuch as had taken any Goods belonging to Clergymen; and further declared, That whatever Prelate or Eccleſiaſtical Perſon ſhould contribute any thing to a Layman by way of Talliage, or under any other Name or Title, ſhould be liable to all the Penalties in the Pope's late Bull.

[5] *Id. Ib.*
The Archbiſhop and Biſhops depute ſome to go to the King, and propoſe ſome Articles on the Clergy's behalf; with his Anſwers to them.

[5] Then at the breaking up of this Aſſembly, the Archbiſhop, Biſhops, and the reſt of the Clergy deputed the Biſhops of *Exeter* and *Rocheſter* to wait on the King, to propoſe certain Articles to Him, on their and the Clergy's behalf.

The *Firſt* was to excuſe themſelves, that they could not now grant Him any Aid out of their Revenues. To this the King Anſwered, That ſince they either could not, or would not do it, He had been forced (being in ſuch great Straits for Money) to take ſome of their Goods by his Royal Authority; yet it ſhould be done with that Moderation, as that they ſhould have no cauſe to complain of Oppreſſion.

The *Second* Requeſt was, That He would give them leave to ſend to the Pope for his Licence to grant his Majeſty an Aid. But this the King did not approve of at that time.

The *Third* was, That He would give them leave to publiſh the late Sentence of *Excommunication* againſt all Invaders or Takers of Eccleſiaſtical Goods. This the King expreſly forbad them to do, at their Peril; and before they went away, cauſed his Letters of *Prohibition* to be delivered to the Biſhops there preſent, and ordered the like to be ſent to the Archbiſhop and the reſt of them that were abſent; but theſe not being then ſent, I ſhall give you a further Account of them hereafter.

[1] *Id. ib.*
The Archbiſhop renews the Sentence of Excommunication.

[1] The King having given them theſe Anſwers with great mildneſs, took his Leave of them, and began his Journey towards the Sea-ſide: But notwithſtanding the King's *Prohibition*, the Archbiſhop did not forbear to denounce the abovementioned Sentence of *Excommunication* in the Cathedral Church of *Canterbury*; yet with an exception to the King and his Sons: But however this did not allay his Reſentments againſt this Proceeding, eſpecially at ſo unſeaſonable a Time.

[2] *M. W. H. K. Col.* 2511.
The King goes to the Sea-ſide, but the Conſtable and Marſhal do not take their Leaves of Him.

[2] Then the King having left *London*, went to *Winchelſea*, there to take Shipping for *Flanders*; but the Earls of *Norfolk* and *Suffolk* did not go to take their Leaves of His Majeſty, but abſented themſelves with

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The King beſtows their Offices upon others.

The Declaration thoſe Earls thereupon made.

thoſe of their Party, until their Petitions for the eaſe of their Country ſhould be redreſſed in Parliament; becauſe the King, for their not complying with his Demands, had already beſtowed the Execution of their Offices upon Others, which they took very ill; but however thoſe Earls declared, they ſought not their own Intereſt, but that of the whole Kingdom; and farther told thoſe Mediators that went between the King and them, That it was not themſelves alone, but the whole Nation which was oppreſſed above-meaſure with unjuſt Exactions and other Taxes, and that they were not dealt withall according to the Liberties of *Magna Charta*; but when they perceived the King's Mind unmoveable at that time, they again diſpatched other Meſſengers to Him, being then either at *Winchelſea*, or *Odymer*, a Town near it, to beſeech Him, That He would Amend and Reform certain Articles they then ſent Him; proteſting, That if He would pleaſe to correct them, and alſo confirm the Charter of Liberties, they would all be ready to follow Him, even to Death it ſelf. The Declaration being Written in the *French* Tongue, is here thus Tranſlated *verbatim*.

The ſaid Remonſtrance at large.

*In the *French Remonſtrances*.

[3] *H. de Knighton Coll.* 2511. *ib.* & Tho. *Walſing. ad hunc An.*

‘Theſe [3] are the * *Remonſtrances* which the Archbiſhops, Biſhops, Abbots, Priors, Earls and Barons, with the whole Communalty of the Kingdom declare to our Lord the King, and humbly praying, That, as ſuch, He would redreſs and amend them for his Own Honour, and the Good of his People.

‘In the *firſt* Place, it ſeems to the whole *Communalty* of the Realm, That the Summons which was ſent them, by the Writ of our Lord the King, was not ſufficient, becauſe there was no certain Place therein ſpecified, whereunto they were to come; for according to that, they were to make Proviſions, and ought likewiſe to Adviſe whether they were obliged to perform this Service or not; becauſe it is commonly reported, That our Lord the King will paſs into *Flanders*, and the whole *Communalty* do believe, that they ought not to perform any ſuch Service, for that neither They, their Predeceſſors, nor Anceſtors, ever did any Service in that Country; and if ſuch Service were due, either there or any where elſe, yet they have not Power to do it, ſince they are already ſo much grieved with divers Talliages, Aids and Seiſures, to Wit, of Corn, Oats, Malt, Woolls, Oxen, Cows and Salted Fleſh, without any Money paid for them, that they can ſcarce bear any more; and that there are many that cannot get their Livings, nor Till their Grounds; ſo that the whole *Communalty* of the Nation find themſelves very ſenſibly grieved that they are not Govern'd according to the Laws and Uſages of the Kingdom, by which their Anceſtors were uſed to be Govern'd, and that they have not their *Franchiſes* which they were wont to have, but are willfully diſpoſſeſſed of them; by reaſon of whichthey find themſelves intolerably oppreſſed.

‘And farther the Clerks and Lay-Perſons feel themſelves grieved, becauſe they uſed to be Govern'd according to the Articles contained in *Magna Charta*, the which are now wholly ſlighted, to the great Damage of the People. Wherefore they pray our Lord the King, That He will amend theſe things, for his Own Honour, and the Benefit of his People.

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* Ibidem.

* Beſides this, the *Communalty* of the Land find themſelves very much grieved at the Aſſize, or Law of *Foreſts*, which is not obſerved as it uſed to be; neither is the *Charter of Foreſts* of late obſerved, but Attachments are made at Pleaſure, contrary to Law, and otherwiſe than it ought to be.

† Ibidem.

* De lana fracta.

† Furthermore, the whole *Communalty* find themſelves extreamly grieved with the Cuſtom upon *Wool*, which is too hard, 40 *s.* a Sack being taken upon *Wool* * whole or entire, and upon *Wool* ready *Carded* 4 Marks; ſo that the Cuſtom that is paid of the Wool of *England*, is near half of the value of the Land from which it ariſes.

Ibm.

And becauſe the *Communalty* of the Land deſire the Honour and Safety of our Lord the King, as they ought, it does not ſeem good to them that He paſs over into *Flanders*, unleſs He could be more aſſured for Himſelf and People of the *Flemings*; and alſo becauſe the People of *Scotland*, who had already began to Rebel whilſt He was here in *England*, would not be afraid to do worſe when they were once aſſured that He was gone beyond Sea.

[4] *T. W.* The Remonſtrance deliver'd to the King; with his Anſwer to it.

The [4] aforeſaid Earls having ſent theſe Petitions to the King by ſpecial Meſſengers, He received them at *Odymer*, being then preparing to go beyond Sea; And his Anſwer to them, was, That He had not then a full Council with Him, part of them remaining at *London*, and the reſt being gone already into *Flanders*; and without them He could not make any Satiſfactory Anſwer to their Demands: And then He bid them tell thoſe that ſent them, That He ſhould have been much better pleaſed if they would have gone with Him; but ſince they would not, He deſired they would do no prejudice to Him nor his Kingdom in his Abſence; and He hoped that if by God's favour He ſhould return they would Peaceably receive Him into his Kingdom.

This Declaration is without any Date; but we may eaſily find, by the following Anſwer the King made to it, That it was but a few Days before his Departure, ſince whilſt He continued in *England*, He iſſued out another Declaration, which is upon Record in *French*, and was ſent to all Sheriffs to be publiſhed, containing the Cauſes of the Controverſy between the King and the Conſtable and Marſhal, and the Reaſons of their refuſing to do their Duty, their Withdrawing from Court, and their Denial to return when ſent to; as alſo his Appology for taking ſo many Aids from his People, contrary to Law, to this effect, *viz.*

* *Rot. Pat.* 25. *Ed.* I. *P.* 2. *M.* 7. *Vid. Dr. B's. Append. N.* 31. where it is Printed in *French.*

The King's Anſwer, containing a Narrative of all the Proceedings.

* 'Whereas the King always deſires the Peace, Quiet and good 'Eſtate of his People and Kingdom, after his Voyage which He is now 'making, *&c.* and that all Occaſion, by which the ſaid Peace and Quiet 'may be diſturbed, ſhall be wholy taken away; becauſe at this 'time there may be ſuch Reports raiſed amongſt the People, as may 'cauſe them to behave themſelves otherwiſe toward their Sovereign 'Lord than they ought, eſpecially ſince the Earl of *Hereford* and Earl '*Marſhal* have lately withdrawn themſelves from Him, or for other 'Matters; Therefore, for that He would have the Affairs of his Realm 'uniform and quiet, He makes known, and would that all ſhould 'know the Truth of what follows.

'Lately, when a great part of the Military Men of *England*, ſome upon Re'queſt, others by Summons of the King, came to *London*, His Majeſty being 'willing to provide for their Diſcharge and the ſettling of their Expences, and

‘ that they might know what they were to perform, ſent to the ſaid Earls, (as Conſtable and Marſhal of *England*) to attend Him for that purpoſe. The Earl of *Hereford* came, but Monſieur *John Segrave* excuſed the Earl *Marſhal*, That by reaſon of Sickneſs he could not come, and therefore had ſent him in his ſtead: Then preſently by their Aſſent, they were ordered to make Proclamation in the City of *London*, That all thoſe that were come thither, either by Summons or Requeſt, ſhould on the Morrow appear before the *Conſtable* and *Marſhal* to be enrolled, in order that they might know in what manner and how many of them ſhould or would Serve the King in that Voyage beyond Sea. The ſaid Earls then told the King they would perform the Order, as they had received it in Writing; but the ſame day toward the Evening, they ſent the King a Meſſage in Writing, by Sir *John Eſturmis*, Knight, in this Form; *For that, Dear Sir, You Commanded the Marſhal by the Conſtable, and by Order in Writing, That he ſhould cauſe it to be publiſhed in the City, that all ſuch as were come by Your Majeſty's Summons or Requeſt, ſhould be on the Morrow by one of the Clock before the Conſtable and Marſhal at St.* Pauls, *and that they ſhould enroll ſo many Horſe and Foot, and then inform You of it: Your ſaid* Conſtable *and* Marſhal *do now pray You to Command ſome other of Your Houſhold to do it; for that, Sir, You know well, that ſome are come upon Requeſt, and not Summons; yet if they do this they ſhould enter upon Duty, and do Service: Wherefore they pray the King to Command ſome others in their Places.* ’

‘ Upon receipt of this Meſſage, and Counſel thus taken, the King thinking they might have done it unadviſedly, ſent Monſieur *Geofrey de Geneville*, Monſieur *Thomas de Berkley*, Monſieur *John Tregoz*, Conſtable of the *Tower*, and *Guardian* of *London*, *Roger Brabazon*, and Monſieur *William de Beresford*, to Adviſe them better, and that they might ſo order things, as ſhould not turn to the prejudice of the King, nor of their own Eſtate; and if they would not be otherwiſe adviſed, that then they ſhould ask them, If they would avow the Letter ſent, and the Words contained in it: Which they owning, the King, being acquainted with it, and adviſing with his Council, put in the Place of the Earl of *Hereford*, Conſtable, Monſieur *Thomas de Berkley*; and in the Place of the Earl *Marſhal*, Monſieur *Geoffrey de Geneville*, as they deſired: Whereupon they withdrew themſelves from the King and Court; and ſoon after the Archbiſhop of *Canterbury*, and many other Biſhops, came to the King, beſeeching Him, that they might ſpeak with the Earls, which the King conſented to; whereupon they ſent to them to know, where they might come and ſpeak with them; in Return to which Meſſage, they let them know by Letters, That they ſhould be at *Waltham* the Friday on the Morrow of St. *James*: Accordingly they went thither; but the Earls came not, but ſent Monſieur *Robert Fitz-Roger* and Monſieur *John de Segrave*, Knights, who ſaid, the Earls could not then come, for ſome Reaſons: On Sunday following, the Biſhops and Two Knights came to the King at St. *Alban's*; and at their Requeſts the Knights had Letters of Safe-Conduct given them for the Earls to come to ſtay with and return from the King; yet they never came, and now 'tis given out, That the Earls offered to the King certain Articles for the common Profit of the People, and that He utterly refuſed them: Of which the King knows nothing; for they never propounded, nor cauſed to be propounded, any

thing

‘ Rot. Pat. 25. Ed. I. P. 2. M. 7. Tit. Dr. B. Append. N° 31. where it is Printed in French.

The King's Anſwer, containing a Narrative of all the Proceedings.

‘thing to Him, nor doth He know why they are retired; amongſt which Articles, 'tis reported, there were certain Grievances, which the King underſtands well, as the Aids that He often demanded of the People, by reaſon of his Wars in *Gaſcoigne*, *Wales*, *Scotland*, and other Places, which could not be maintain'd, or his Kingdom defended, without the Aſſiſtance of his People; whereof He thinks often, that He ſhould ſo much grieve and burthen them, and Prays they would have Him excuſed; and if it pleaſe God, to give Him leave to return from his Voyage, He would have all Men know, That according to his great Deſire, and the Will of God, and to the Satisfaction of his People, He will amend all things whatever, as He ought; and if He doth not return, He will order his Heir to do it as well as if He had Return'd Himſelf: For He knows well, that no Man is ſo much bound to the Kingdom, or to love the People, as He Himſelf.

‘But that on the other ſide there is great Neceſſity for his going to Aſſiſt his Allie the Earl of *Flanders*; and his going over is of that immediate Conſequence, by reaſon of the Danger his Friends beyond Sea are in, That if He ſhould loſe them, the Kingdom might be in great Jeopardy: *And therefore they* (the People) *ſhould have a Confirmation of the Great Charter of the Liberties of* England, *and of the Charter of the Foreſt, if they* would grant Him an Aid or Gift, ſuch as was neceſſary for Him at this time; and the rather, for that upon his going over, a laſting Peace might enſue; and if He had refuſed thoſe Articles, or any thing elſe in Hatred and Deſtruction of his People, contrary to the Common profit of the Realm, or that He had done otherwiſe againſt the ſaid Earls than is here expreſſed, He deſires no Man to believe Him; for theſe are the true Steps and Proceedings, that have been followed even to this very time: Therefore He puts them in Mind, what Dangers and Wars may ariſe from Rumours, Stories and Reports, raiſed between the King and his People, *&c.* Concluding, that this Declaration is publiſhed with a Deſire for all his good People to Pray that his Voyage might be proſperous, and have a good Effect, to the Honour of God, of Himſelf, of them and his Kingdom, and that a Durable Peace might follow. This was Given at *Odymer* (near *Winchelſea*) the Twelfth day of *Auguſt*; being but Eight days before his Embarking for *Flanders*.

Dr. *Brady* places this Record a little before the late Declaration, made by the Biſhops, Earls and Barons, of their Grievances; but I muſt beg his Pardon, if I am not of his Mind; for had the King then iſſued out, or ſent them any ſuch Declaration as this now recited, it is very probable, that they would have taken Notice of it, and returned ſome Anſwer thereunto, ſince it ſo highly reflects upon the late Carriage of the ſaid *Conſtable* and *Marſhal*, and juſtifies the King in his illegal impoſing the Aids abovementioned. It is therefore moſt likely, that the King, not being then willing to grant the abovementioned Requeſts, Politickly ſet forth this Declaration to juſtify (or at leaſt to Colour) his Proceedings, and to pacify the People in his Abſence.

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*Rot.Clauſ. 25. Ed. I. M. 8. Dorſ. ProhibitioR gis contra Excommunicationem. Vid. Dr. B's. Ap. N. 32.

The King ſends a Prohibition to the Archbiſhops, not to publiſh the ſaid Sentence.

And paſſes over into *Flanders* with a powerful Army.

[5] C. W. H. H. K.

He Lands at *Sluice*, goes to *Bruges*, and from thence to *Gaunt*.

One of the laſt things I can find the King to have done before his Departure, was, That He ſent *Letters to the Archbiſhops and Biſhops, forbidding them to publiſh all other Sentences of *Excommunication* againſt his Officers, for taking the Grain and other Goods of the Clergy; ſince that would tend to the great Prejudice of his Crown, the Scandal of his People, and (as it might happen) to the Deſtruction of the Church and Subverſion of the Kingdom; and therefore Commanded them, by the Oath of Fidelity in which they were bound to Him, not to publiſh any ſuch Sentence againſt the ſaid Officers, whether Clerks or Laicks. This bears Date at *Winchelſea*, about Two days before the King's going beyond Sea: For it appears by the Cloſe-Roll of this Year, that the King paſſed into *Flanders* on the Twenty Second of *Auguſt*; though *Matt. Weſtminſter* ſays, it was the day following, on the Vigil or Eve of St. *Bartholomew*: But which day of the Two it was, is not very material; only thus much is certain, [5] That He carried over with Him a Potent Army, conſiſting of Fifteen thouſand Horſe and Fifty thouſand choice Foot, of which Thirty thouſand were *Welſhmen*. So ſoon as the King landed at *Swyne* (now *Sluice*) in *Flanders*, He went from thence to *Bruges*, which Town He intended to have fortified, if the People would have permitted Him; but finding them inclinable to give it up to the *French*, He thought it not very ſafe for Him to ſtay there; and therefore, at the Earl of *Flander*'s Invitation, He marched with his Army to *Gaunt*, where He Quartered all that Winter, yet performed little or no Action, only ſome part of his Army went out and ſpoiled that part of the Country that had Surrender'd to the *French*, and Plundered the Town of *Dam*, and killed Two hundred of the *French* that lay there in Gariſon, contrary to the Articles; at which the King being terribly provoked, He ordered the Ring-leaders of that Cruelty to be executed immediately.

[1] *Id. Ib.*

The King of *France*, upon the King's arrival, retreats.

[3] *T. W.*

The King is diſſappointed of the Aſſiſtance He expected from the Emperor.

And indeed his going over proved very ſeaſonable for the Earl of *Flanders*: [1] For the King of *France* had now taken great part of his Country; but upon the News of his Arrival, He thought fit to retreat as far as *Courtray*: But Our *Edward* was uttterly defeated of the Aſſiſtance He expected from the Emperor *Adolph*, which He much relied on: [3] But this Diſappointment was occaſioned by the Pope's having lately wrote to ſeveral Princes of *Germany*, to engage them in a War with the Emperor, That ſo they might hinder Him by all means poſſible from making any upon *France*: And thus all things remain'd till the Year following. But we ſhall now look back into *England*, and ſee what was done there during the King's Abſence.

[4] *Id. M. W.*

The Diſcontented Earls and Barons, immediately upon the King's departure, forbad the Treaſurer and Barons of the *Exchequer*, to Levy the late Tax.

[4] On the very day of his Departure, the diſcontented Earls and Barons came to the Exchequer and forbad the Treaſurer and Barons thereof, to cauſe the Sheriff to Levy the Eighth Peny of the Laity, lately granted; telling them, That they never agreed to it, *and that Taxes could neither be impoſed nor exacted without their Aſſent*. And *Walter Hemingford* farther adds, That they prevailed with the Citizens of *London* (as their good Friends and Confederates) to ſtand by them, to defend and Recover their Liberties of the Great Charter. Then the Earls and Barons, to ſhew a Good Example, cauſed it to be publickly proclaim'd, That none of their Servants ſhould preſume to take any thing, though never ſo ſmall, from their Owners, without Paying for it, upon pain of loſing their Right Hands, nay their very Heads, if the Cauſe required

it; which being done, they all of them return'd Home in Peace, without doing Injury to any Man. But to return to the Affairs of *Scotland*.

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[5] *H. K. T. W.*

The *Scots* reinforce their Army under the Conduct of *William Wallys*.

[5] It was now the latter end of *Auguſt*, when the *Scots* taking advantage of the weak Conduct of the *Engliſh*, for the Earl of *Surrey* Lieutenant of *Scotland* had been very remiſs in preſſing thoſe People to deliver up their Hoſtages as they had agreed, which gave them time to Rally and Reinforce their Army under the Command of *William Wallys*, who had now drawn his Forces near *Sterling*, where the *Engliſh* then lay; againſt whom the Earl abovemention'd marching with all his Army, that conſiſted of above Forty thouſand Men, and getting to the River *Forthe*, on the other ſide of which the *Scots* lay encamped on a Hill, the *Engliſh* Generals, contrary to the Advice of a wiſe and Valiant *Scotiſh* Knight called *Richard Lundy*, would needs paſs their Army over this River near *Sterling* (to fall upon the *Scots*) by a weak and narrow Bridge, where only two Men could go on Breaſt: So early in the Morning, after a great Part of the *Engliſh* Forces had paſſed over it, led by *Hugh de Creſſingham* (the King's Treaſurer for *Scotland*) the Bridge happened to break, either by the weight of thoſe that followed, or elſe through the Treachery of a *Scotiſh* Carpenter, who had a little before been employ'd to mend it, and inſtead of that, had on purpoſe half cut through the main Beams of it: But upon the breaking of the Bridge, when the *Scots* perceived the Van of their Enemies cut off from the Rear, they took this Opportunity immediatly to fall upon the *Engliſh* that were on their ſide, and putting them to flight, killed or drowned a great many of them to the number of near Five thouſand, as they endeavoured to repaſs that River, together with *Hugh Creſſingham* their Leader; who though he was a Clergyman in Orders, and Rector of divers *Churches*, had contrary to his Function marched into the Field compleatly Armed. This unhappy defeat happened the Eleventh of *September* being Friday.

The *Scots* put the *Engliſh* Army to the Rout at paſſing a Bridge and kill 5000 Men.

[1] *Id. Ib.* C. *W.* H.

The Earl of *Surrey* flies to *Berwick*, which is alſo deſerted.

When [1] the Earl of *Surrey* (who was now come into the Field and ſtood on the other ſide of the River) ſaw this unfortunate Accident, he immediatly fled, with the Remainder of his Army, to *Berwick*; where he ſtay'd not long, but leaving Sir *Marmaduke Twenge* a Gallant Knight, Governor of it, and promiſing him a ſpeedy Aſſiſtance, he return'd into the South of *England* to give the Prince an Account of his ill Fortune: But the *Engliſh* not long after deſerted the Place, becauſe it had not been ſo well fortified as it ought to have been, by building a new Wall, through the Covetouſneſs of *Creſſingham* the late Treaſurer; therefore ſo ſoon as the *Engliſh* Army was gone, *Wallys* eaſily took that Place, with all the Towns in *Scotland* that were in the Poſſeſſion of the *Engliſh*, whom he either killed or drove out of the Kingdom; but as for the Caſtles of *Edinburgh* and *Roxburgh* they utterly diſmantled them, becauſe they thought they could not keep them, as alſo that they might not be any more Harbors to the *Engliſh*; they alſo deſtroyed *Haddington*, and moſt Towns of Note in the South of *Scotland*, for the ſame Reaſons.

Wallys kills or drives all the *Engliſh* out of *Scotland*.

But before I conclude this ſad Relation, I think it neceſſary to let you know that the * Anonymous Chronicle (ſo often cited) imputes the loſs of this Battel near *Sterling* to a miſunderſtanding between the Earl of *Surrey* the Kings Lieutenant, and this *Hugh Creſſingham*, who was joyned

* *in Bib. Coton.*

The occaſion of the Loſs of the late Battel.

Creſſingham being ſlain, the *Scots* flea his dead Body.

in Commiſſion with him; for the former ſtaying too long in the Caſtle of *Sterling*, exerciſing ſome new raiſed Men, or (as others relate) overſleeping himſelf that Morning, and not coming into the Field ſo ſoon as he ought to have done, it made *Creſſingham* paſs over the River at this Place, in order to fight the *Scots*, before the Earl could come up to joyn him with his Forces, and was a main Cauſe of the Loſs of the greateſt Part of his Army: The Earl himſelf made a ſhift to eſcape with a few of his Men to *Berwick* (as you have heard;) but as for *Creſſingham*, the *Scots* hated him ſo mortally, for his Covetouſneſs and Cruelty, that finding his dead Body after the Battel, they flead it, and made Girts and other Furniture for their Horſes with his Skin.

[2] *H. K. Coll.* 2519. The *Scots* invade *Northumberland*, ſpoil all the Countrey, and deſtroy the Inhabitants.

[2] Nor did the *Scots* under their Commander *William Wallys* reſt contented with this Victory; but falling upon *Northumberland* at the beginning of this Winter, they lay'd all the Countries waſt between the Rivers of *Tine* and *Derwent*; however they could not take the City of *Carliſle*, though they had Summoned it; for the *Scots* not being provided with Engines to batter it, were fain to let it alone unattempted. But they turn'd aſide through the Foreſt of *Inglewood*, as far as *Cockermouth*, near the River *Derwent*, and deſtroyed all the Country before them, not ſparing either Age or Sex; and they intended to have done the ſame in the Biſhoprick of *Durham*, had they not been informed by their *Scouts* (though untruly) that the Country was well provided with Forces to reſiſt them; and therefore having done what miſchief they could, they return'd home.

[3] *Id. Ib* The Gariſon Sallies out of *New-caſtle*, and put a Stop to the *Scots*.

But they met with worſe Succeſs in *Northumberland*; [3] for not long after they marched toward *New-Caſtle*, intending to beſiege that Place; but the Gariſon hearing of it, put themſelves into a poſture of Defence, reſolving to Fight them if a good Opportunity offered; and for that purpoſe ſallied out of the Town, yet durſt not march too far, becauſe they were much inferior in Number to their Enemies: However, the *Scots* ſeeing their Reſolution, did not care to engage with them, but contented themſelves with dividing the ſpoil they had already taken, and return'd into *Scotland*.

[4] *Id. ib.* The Gariſon of *Carliſle* make an Incurſion into *Anandale*.

In revenge of theſe Hoſtilities, [4] a little before *Chriſtmaſs* the Townſmen and Gariſon of *Carliſle* made an Incurſion into *Anandale*, where they had a ſharp Diſpute with the Inhabitants of that Vale, but at laſt having put them to the Rout, killed a great many of their Men, and burnt about ten Villages, they return'd home on *Chriſtmaſs-Eve* with ſeveral Priſoners, and a conſiderable Booty. This was the Sum of the War during this Winter.

[5] *Id. Col.* 2522. Upon this ill News the Prince, Guardian of the Kingdom, calls a great Council or Parliament.

But it is now time to return to *England*, and ſee what paſſed there in the mean time. So [5] ſoon as the Prince, whom the King had left Guardian of the Kingdom, had heard the ill News of the late Defeat of the *Engliſh* Army, the Councellors that the King had left to adviſe him, perceiving the great Danger the Kingdom was in, perſwaded him to be reconciled to the Two Earls, the *Conſtable* and *Marſhal*, as alſo to call a great Council of the Lords, Biſhops and Abbots; in compliance with which Advice, he on the Ninth of *September* iſſued out Writs to the Archbiſhops, Biſhops, Earls, Barons, &c. to meet on the Morrow after St. *Michael* at *London*, to conſult with him and thoſe of his Council concerning the urgent and arduous Affairs of the Kingdom. But though at the end of the Writ of Summons directed

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to the Archbiſhop of *Canterbury*, there appear no more Names entred upon the Roll, than the Archbiſhop himſelf and Six other Biſhops, with Twenty three Abbots and Priors, and only the Earls of *Hereford* and *Norfolk* with Eight Barons; and though no Writs are now extant that were ſent to the *Commons*, yet that this was a Common Council or Parliament of the whole Kingdom, and not a particular Council of Biſhops, Abbots and great Lords, will appear from the following Teſtimony of Two unqueſtionable Manuſcript Authors of that time, as alſo from the great Tax which the Clergy, Lords and Commons, granted to the King at this Parliament when they met.

That this was a Parliament, notwithſtanding no Writs are extant for Summoning the *Commons*.

But in the interim, [5] a little before this Parliament could meet, the Earls of *Hereford* and *Norfolk*, with the other Diſcontented Earls and Barons of their Party, held a Council at *Northampton*, to conſult about the Means how the late Grievances might be redreſſed; ſo that when the Parliament met at *London*, to conſider of making up all Breaches between the King and his People, the Earls and Barons abovementioned could not, without ſome difficulty, be brought to appear at *London*, until it was agreed, by the common Conſent of the Prince and his Council, that the *Great Charters* ſhould be confirm'd, and divers other Articles that were added to it ſhould be granted; and then they readily met the reſt of the Eſtates of the Kingdom in Parliament, whom our [1] Author thus reckons up, *viz.* the Archbiſhop of *Canterbury*, with the Prelates and Clergy, the Earls and Barons, and the *Knights* of *Shires*, and the *Repreſentatives* of the *Cities* and *Boroughs*.

[5] *C. J. Eveſden.* The diſcontented Earls and Barons hold a Council at *Northampton*, and at laſt agree to come to *London*.

[1] *G. Norwic.* The Eſtates that met at this Parliament.

But though the Diſcontented Earls and Barons were at laſt perſwaded to obey the Prince's Summons, yet did not they think it ſafe to appear unarmed, but were attended with five hundred Horſe, beſides a great many choſen Foot; nor would they enter the City before they had Liberty to place their own Guards at all the Gates; and then by the mediation of the venerable Father, *Robert* Archbiſhop of *Canterbury*, there was an Agreement made between the King and them, on Condition He would confirm the *Charter* of *Foreſt* and the *Great Charter*, with ſome other Articles added to it, which are now entred in our *Statute-Books*, under the Title *de Tallagio non concedendo*, being the ſame with that in *Knyghton* and *Walſingham*, and which is Printed in Sir *Edward Coke*'s Second *Inſtit.* though he miſplaces it in the Thirty fourth Year of this King, but is to be found upon the Statute Roll 25 *Ed.* I. *M.* 38. with this *Memorandum* at the end of it, That this Charter or Confirmation was ſealed in *Flanders*, with the King's Great Seal, at *Gaunt*, the Fifth day of *November*, in the Twenty fifth Year of his Reign.

[2] *H. K. Col.* 2523. The diſcontented Lords come thither with a great Retinue.

The Statute *de Tallagio non concedendo*, firſt paſſed. *Fol.* 532.

The Effect [3] of which Statute is, That the King ſhould for the future impoſe no Talliage, Aid or Tax on his Kingdom without the Conſent of the * *Great Men* thereof; and who theſe were, I refer You to the Statute it ſelf, ſet down at large at the end of this Reign. And at the ſame time there was alſo a Pardon paſſed before the Prince and his Council, and ſealed with their own Seals, ‘for *Humphry de* ‘*Bohun* Earl of *Hereford* and *Eſſex*, *Roger Bigod* Earl of *Norfolk* and ‘*Marſhal* of *England*, the Lord *John de Ferrars*, with all other Earls, ‘Barons, Knights and Eſqs; and all thoſe who had been of their ‘Society and Confederacy; as alſo to all ſuch *Military* Tenants as ha‘ving Twenty Pounds in Lands *per Annum*, had ſail'd to go over with

[3] *H. K.* * *Magnatorum.* *Col.* 2523. The Effect of this Statute. A General Pardon alſo paſſed with it; and the Effect thereof.

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‘ the King into *Flanders*: And it alſo remits to them all Rancor and
‘ Ill-Will, which the King might have concealed by reaſon thereof, and
‘ Pardons them all Tranſgreſſions done againſt him to the paſſing of
‘ this Charter; and then concludes with a Clauſe, That the Archbiſhops
‘ and Biſhops of *England* ſhould twice in the Year denounce Sentence
‘ of *Excommunication* againſt all thoſe that ſhould preſume to tranſgreſs
‘ them.

This Pardon and the Statute abovementioned both confirmed at *Gaunt* by the King.

This Pardon (of which I have only here given you an Abridgment) was twice paſſed, once before the Prince, dated the Tenth of *October*, and is that which is cited by our Hiſtorians in *Latin*; but the other (which is alſo entred on the Statute * Roll in the *Tower*) being in *French*, bears date at *Gaunt* the ſame day with the Statute *de Tallagio non concedendo*; of which laſt I need ſay no more here, ſince the Reader may find it at large at the end of this King's Reign. But to proceed to the reſt of this Relation concerning the Pardon.

* *Rot. Stat.* 25 *E. I. M.* 28.

[4] *H. K.* 2524. The Prince promiſes to procure his Father's Confirmation of this Pardon.

When [4] Prince *Edward* had by his Letters Patents Pardoned the ſaid Earls and all their Adherents, he promiſed alſo to procure his Father's Confirmation of it; and the King's Councellors who were then preſent engaged alſo to ſee the ſame performed. Then the Archbiſhop of *Canterbury*, and the Archbiſhop elect of *York*, with other Biſhops, the Earls of *Cornwal, Surrey* and *Oxford*, as alſo the Lords, *John Gifford*, *Henry de Piercy*, with divers other Clerks and Laics, all ſwore, for the greater Security of the Matter, That they would preſerve the ſaid Earls, with their Adherents, ſafe and indempnified againſt their Lord the King.

[5] *Id. Ib.* The ſaid Earls agree to go over into *Flanders*, or elſe to march againſt the *Scots*.

And it [5] was alſo further agreed, That if they ſhould receive ſuch a favourable Anſwer from the King, by the Feaſt of St. *Nicholus* (being the Sixth of *December* next enſuing,) as ſhould confirm all that had been done now, then the ſaid Earls ſhould either go over to the King into *Flanders*, or elſe march againſt his Enemies in *Scotland*. Things being thus ſettled and concluded on, expreſs Meſſengers were ſent to the King with theſe Charters; his Secretaries alſo wrote to Him, that if He deſired to preſerve his Honour with his Eſtate and Kingdom, He ſhould ſend back thoſe Inſtruments under his *Great Seal*: Which Letters when the King had received, He was in a great Strait, (being unwilling to grant ſo much at once) but after three days Conſideration, thought it beſt for Him to do it; and ſo, that He might retain the Hearts and Affections of his Subjects, He conſented to confirm all thoſe *Charters* which had been ſent Him over; which He then did by his *Charter* in *French*, bearing date the ſame day with the *Statute* and *Charter* abovementioned, and which, being never before Printed, you ſhall find in the *Appendix* faithfully tranſcribed from *Walter Hemingford*'s Manuſcript Chronicle, and compar'd with the Roll in the *Tower*.

The King confirms both the Statute and Pardon, though with ſome difficulty.

[1] *Id. Ib.*

Which are again confirmed in the next Parliament, wherein a great Tax is given.

Theſe [1] Charters being ſent over, were received with great Satiſfaction, all Men rejoycing to ſee this happy Day of Unity and Peace between the King and his People: But the Manuſcript Chronicle of *Norwich* relates, That the aforeſaid *Charters* and *Statutes* were then again confirmed, in either the ſame, or another Parliament, that met at St. *Edmundsbury* for that Purpoſe; in which the *Great Men* and *Commons* gave the *Ninth* part of their Goods; But the Archbiſhop of *Canterterbury*, with the Clergy of that Province, a *Tenth*; and the Archbiſhop and Clergy of *York*, only a *Fifth* part of their Goods, becauſe they were moſt expoſed to the Incurſion of the *Scots*: Yet this is further to be noted, That the *Wool* which had been already taken from the Clergy and Laity was to be reckoned as part of the ſaid Tax. And at the ſame time, this Parliament took off all illegal and exceſſive Cuſtoms upon *Wool* and *Leather*, which had been impoſed by the King.

[2] *Id ib.*

I cannot but here obſerve, [3] That the *Tenths* were now given by the Clergy without the Pope's Licence; yet our Monkiſh Writers have found a *Salvo* for this, and tell us, That though they were not to give the King any Aid to make Foreign Wars or Invaſions, without waiting for the Pope's Licence; yet were they not debar'd, by his late Bull, from granting Aids for the neceſſary Defence of the Kingdom againſt the Common Enemies, the *Scots*, that were then ready to Invade it: Which Diſtinction, how reaſonable ſoever it may be in it ſelf, yet what way they could then take upon them to make it, I do not underſtand, ſince the Pope's *Prohibition* is very ſtrict and expreſs, That no Prelate whatſoever, Eccleſiaſtics, *&c.* ſhall Pay or Grant to Pay any Taxes or Impoſitions, ſo much as an Half, *&c.* or any part or Portion whatever, of the Revenues of their Church or Goods, to Laymen, under the Name of an Aid, Aſſiſtance, Loan, or Gift, or under any other Pretence or Colour whatſoever, without the Authority of the ſame See. This I obſerve, to ſhew the Reader, That the late Refuſal of the Archbiſhop and Clergy to Aſſiſt the King, was rather out of Wilfulneſs than any real Cauſe.

[3] *Id. ib.* In which alſo the Clergy give a *Tenth*, without the Pope's Leave.

Not long after the King had thus confirm'd the Charters abovementioned, He ſent over particular Letters to the Earls and other Great Men then in *England*, commanding them, That as they valued his Honour, and that of the whole Kingdom, they ſhould, under the Command of the Earl of *Surry*, his General, march into *Scotland*, to repreſs the Inſolence of that Nation: And He prefixed the Octaves of St. *Hillary*, as the day on which He would have them meet at *York*; and that in the mean while, they ſhould prepare themſelves for that Expedition. He alſo at the ſame time, wrote Letters to the Great Men of *Scotland* that had continued firm to his Intereſt, That they ſhould not fail to appear at the Parliament which He intended ſhould then be held at *York*. And thus all things remain'd in the ſame State, both in *England* and *Flanders*, for the reſt of this Winter.

[4] *H. K. Col.* 2525. The King Writes to all the Nobility to march forthwith againſt the *Scots*.

I cannot find any Military Matter worth noting, to have been done by the King whilſt He lay at *Gaunt* this Winter, [5] only that the Citizens thereof being diſcontented at the Quartering of his Soldiers that committed many Diſorders, took the Advantage, whilſt He rode out of the City to take the Air, and ran to their Arms; and ſhutting the Gates againſt Him, fell upon the *Engliſh* Gariſon in the Town, and ſlew many of them; but they being at laſt too hard for the Citizens, not only defended themſelves, but ſetting open the Gates, let in the King, who Heading his Men, ſoon quieted that Sedition, though not without great hazard of his Perſon from the Arrows which the Townſmen ſhot at Him: And preſently after *Candlemaſs*, a much worſe Commotion happened between the King's Soldiers and the Townſmen; for [1] theſe watching their Opportunity, ſhut up the Gates, and would not let any more of the *Engliſh* enter the Town; then falling upon thoſe that were in their Quarters, ſlew a great many of them: But

[5] C. I. E. A great Inſurrection in *Gaunt*, againſt the *Engliſh*, which is quell'd by the King's Soldiers.

[1] *Chron. Abing.*

when

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The King makes the Townſmen Satisfaction for their loſſes.

when the King heard of this Aſſault, He preſently Commanded his Men to their Arms, and was immediately attended by a ſtrong Party; in the mean while, the Foot who were encamped without the Town, hearing the noiſe within, and ſuppoſing not only their Fellow Soldiers, but the King Himſelf to be in Danger, they preſently marched to the City, and ſetting fire to the Gates, entred by force, and routing thoſe they found in the Streets, Plunder'd their Houſes, until at laſt they forced them to yield, and to be at quiet; and had it not been for the Earl of *Flanders's* Interceſſion, much greater Miſchief might have been done: But the Tumult being over, the King, to give the Townſmen ſome Satiſfaction, was pleaſed to cauſe ſeveral of his Men to be Executed by *Martial Law*, for breaking into Houſes, and Plundering them, contrary to his Orders; and alſo Pay'd them a great Sum of Money for the Loſſes they had ſuſtain'd. I have placed theſe Two Actions, being of the ſame nature, together, though the latter of them did not happen until the beginning of the Year following, according to our Account.

The King grows weary of the War in *Flanders.*

The Pope propoſes a Truce between the Kings of *England* and *France*, which the latter proteſts againſt.

Vid. this Proteſtation in a Treatiſe, Entituled *Proofes des Libertes, d'Egliſe Gallicane*, *Ch.* 7. *f.* 95.

[2] *H. K.* 2525, 2526. *Chron. Abing.*

The Commiſſioners appointed for the Treaty meet at *Tournay*, and agree upon it, with the Conditions of it.

But to come to Matters of greater moment: I find no Action between the King's Army and that of *France* this Winter; for His Majeſty being now weary of this War in *Flanders*, into which He had been imprudently drawn by the Perſwaſions of the Earl (who was not able to give Him any conſiderable Aſſiſtance) and alſo finding the War in *Scotland* to have proved very unfortunate, it made Him reſolve to agree to the Propoſal which the Pope had ſome Months before made, and declared by his own Authority, for a Truce during the ſpace of Two Years, under pain of *Excommunication* upon all ſuch as would not ſubmit to it; though ſince the Pope's Power in making this Truce had been **proteſted* againſt by the King of *France* (as denying his Superiority in Temporals) and the King of *England* had not hitherto ſubmitted to it, yet now being weary of the War, [2] He took an Opportunity to uſe the Mediation of *William de Hotton*, a Friar Minor, then Archbiſhop elect of *Dublin*, who being well acquainted with the King of *France*, under pretence of going to the Pope about his own Affairs, had obtain'd that King's Letters of Safe-Conduct, to come ſecretly and to treat with Himſelf and his Council; and the Biſhop ſo well managed this Affair, that at laſt he prevailed with Him to conſent to appoint certain Commiſſioners to treat with Others, to be ſent from the King of *England*, about a Truce; which being agreed to, there met at *Tournay*, for the King of *France*, the Duke of *Burgundy*, the Count of St. *Paul*, the Earl of *Bretaign*, the Lord *de Neſle*, and the Biſhop of *Auxerre*, with ſome others; and for the King of *England*, *Anthony* Biſhop of *Durham*, with divers other Noblemen and Biſhops, whom my Author does not mention; and theſe, after ſome Treaty, agreed upon a Truce for Two Years, *viz.* from the Feaſt of *Epiphany* next enſuing, to the ſame Feaſt again; but with this *Proviſo*, That if, at the Expiration of the ſaid Truce, a perfect Peace were not concluded between the Two Kings, the Money depoſited by them, as a Caution for their true Performance, ſhould be return'd; and that in the mean while, both Princes ſhould ſtand to the Award of the Pope, and ſend their Ambaſſadors to him on purpoſe about this Affair; the effect of which Ambaſſy we ſhall find anon.

But that our Hiſtorian is miſtaken, in ſuppoſing this Truce to have been made at firſt for two Years, appears from the * Inſtrument it ſelf, ſtill preſerved among the Records of the *Tower*, wherein it is only ſtiled a *Sufferance*, or Forbearing all Acts of Hoſtility by Sea and Land, between the King of *England* and his Allies on the one part, and the King of *France* and his Allies on the other, until the Feaſt of *Epiphany*; for the Dutchy of *Aquitain*, and for the Earldom of *Flanders*, and all other Parts, until the Octaves of St. *Andrew*, (or the 7th of *December*) dated on the Feaſt of St. *Denis*, (that is the 9th of *October*) in the Year of Grace 1297. in which there are alſo the Names of the *Engliſh* Confederates, that is ſo ſay, The King of *Almain*, or Emperor, the Earl of *Flanders*, the Earl of *Savoy*, the Earl of *Bar*, the Duke of *Brabant*, the Earl of *Holland*, the Earl of *Montbeliard*, with many other great Lords of *Burgoin*, *Aylmain*, *Brabant*, *Holland*, *Gaſcoigne*, and *Arragon*, whoſe Names being now to us unknown, I omit. By this Truce, all Trade and Commerce was to be exerciſed as before.

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A fuller Account of this Treaty from the Records in the *Tower*.

* *Vid.* Bundle of Writs of Privy Seal in the *Tower*. It is Printed in *Pryn*'s 3d Volume of *Papal Uſurp.* P. 757.

This * Inſtrument being encloſed in Letters under the Privy-Seal, dated at *Gaunt* the 15th of *October*, in the 25th Year of his Reign, was ſent to his Son, enjoyning him to ſee it kept in all Points through the Realm; and to that purpoſe, on the 20th of *October*, He ſent it to all Ports in *England* to be Proclaimed, and ſtrictly obſerved in all it's Articles, as appears by the † Writ ſtill upon Record in the *Tower*. Not long after which, by the ſame Commiſſioners on both ſides, this Truce was prolonged until *Lent* next following: The Inſtrument whereof being Sealed with their Seals, and dated at *Grolingues* Abby near *Courtray* in *Flanders*, *November* 23. 1297. is to be found in the Bundle of Writs above-mentioned.

* *Ibidem.* Printed in *Pryn*'s Hiſtory of *Papal Uſurp.*

The Truce is Proclaim'd in *England*.

† *Clauſ.* 25 *Ed.* I. *M. Dorſ. in Cedula.*

King *Edward* keeping his *Chriſtmaſs* at *Gaunt*, on St. *Innocent*'s Day, (or 28th of *December*) being the 26th Year of his Reign, there came to Him the Maſter of the Order of Preachers, and the General of the Friars-Minors, who had been lately with the King of *France* about the ſame Buſineſs, and beſought, on the Pope's behalf, That both the Kings would ſend their Commiſſioners to *Rome*, with full Powers to treat of Peace; the Pope, promiſing, (not as a Judge, but kind Mediator, and in Prejudice to neither) to endeavour to ſettle Peace and Tranquility in both Nations, and reſtore the former Friendſhip between the two Kings: And becauſe that could not be accompliſhed without a longer Truce, therefore the Pope by theſe Meſſengers publiſhed again a two Years Truce, which he had declared under pain of *Excommunication* and *Interdict* of both the Nations; which tho' it was then refuſed (as hath been already obſerved) yet now both the Kings therein concern'd were not only willing to agree to it, but not long after ſent their Ambaſſadors to *Rome*, and by them referr'd all Differences between them to *Boniface* the VIII. as *Benedict* of *Cajeta*, not as Pope, but as a private Perſon, as will appear by his own Inſtrument or Bull, containing the Terms of the Peace he had made between the two Kings, which you will find more at large hereafter. But it is time to return to the Affairs of *England*.

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T. W.

Whilſt the King is at *Gaunt*, the General of the *Fryars Minors* comes to the King from the Pope, to propoſe a Peace, wherein he offers himſelf to be Mediator.

Which Propoſal is agreed to by both Kings, who ſend their Ambaſſadors to *Rome* about it.

The King having order'd the Prince his Son to Summon a great Council of the Nobility at *York*, (which my Author calls a Parliament, tho' the Commons did not meet there) the Barons, Great Men, and Tenants *in Capite*, met accordingly, on the Octaves of St. *Hilary*, ſo that

[3] *H. K.* *Col.* 2529.

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A great Council at *York*, where, beſides the Conſtable and Marſhal, there is a vaſt Concourſe of the Nobility; and the great Charter is again Confirm'd, and Sentence of Excommunication Denounced againſt all that ſhould Infringe it.

that there was a great Appearance: For beſides the Conſtable and Marſhal, who were now reſolv'd to act againſt the *Scots*, there were alſo the Earl of *Warren* and *Surrey*, (the King's General) the Earls of *Gloceſter* and *Arundel*, and many other Earls and Barons, who after ſome Deliberation were all of Opinion, That for the Satisfaction of the common People, the King's late Confirmation of the *Great Charter*, and that of *Foreſts*, ſhould be firſt Read and Publiſhed, together with the Additional Articles abovementioned. This being perform'd, the Biſhop of *Carliſle* was commanded to Denounce (in his *Pontificalibus*) Sentence of *Excommunication* againſt all Violaters thereof, which gave an entire Satisfaction to the People.

[4] *Id. Ib.*

A General Muſter of the whole Army appointed at *New-caſtle*, in order to march againſt the *Scots*; where appears a vaſt Force. The *Scots* upon the approach of the *Engliſh* retire further into their Country, having Deſerted *Berwick*. The King ſends Orders to the Earl of *Surrey* not to Fight the *Scots* till he comes over.

[4] But the *Scotiſh* Noblemen (who had been Summon'd thither) neither coming nor ſending any to appear for them, the *Engliſh* Nobility appointed, That within Eight days, there ſhould be a General Muſter of the whole Army at *New-caſtle upon Tine*, that ſo they might march from thence againſt their Enemies: Which being done at the Time and Place appointed, the *Engliſh* Army at this Muſter appeared to be Two thouſand choice Horſe well Armed, but of Light Horſe more than Two thouſand five hundred, and of Footmen, (taking in the *Welſhmen*) above One hundred thouſand. Then the Prince, with all the Noblemen abovementioned, marched againſt the *Scots*; who, ſo ſoon as ever they heard of the Approach of the *Engliſh* on their Borders, raiſed the Siege of *Roxburgh*-Caſtle, where the Biſhop of *Glaſcow* was at that time kept Priſoner, and retired further into the Country. Then the *Engliſh* Commanders, after they had relieved that Caſtle, went on as far as *Kelſo*, and from thence they turn'd aſide to take in *Berwick*, which they found quite deſerted by the *Scots*. But in the beginning of *Lent*, whilſt they ſtayed there to refreſh their Men in order to march again into *Scotland*, they received freſh Orders from the King by an Expreſs, commanding the Earl of *Surrey*, and the reſt of the Great Men with him, not to proceed farther in that Expedition; ſince, having now ſettled his Affairs beyond Sea to his Satisfaction, He intended (God willing) to come over into *England* with all poſſible ſpeed, and would then march with them in Perſon againſt the *Scots*. Upon the Receipt of theſe Letters, the Great Men abovementioned only retain'd about Fifteen hundred ſelect Horſe and Twenty thouſand Foot, ſending all the reſt to their own Homes; and with theſe Forces the Commanders ſtaid at *Berwick*, waiting for the King's Return, being in a Poſture to reſiſt their Enemies.

[5] *M. W.*

The King having ſettled his Affairs in *Flanders* returns into *England*.

And He[5] in the mean time having concluded the Truce with the King of *France*, and ſettled his Affairs in *Flanders*, took Shipping, and landed at *Sandwich* the 21ſt of *March*, being received by the Nobility, and all ſorts of People that met Him there, with loud Rejoycings and Acclamations.

And to gain the good Will of the People, iſſues out a Commiſſion concerning the value of the Proviſions and Commodities that had been taken up for his Fleet.

Preſently after his Landing, to make good the Promiſe He had made upon his going into *Flanders*, and to Endear Himſelf the more to his People, He iſſued out his Commiſſions to Two Knights, one appointed by the King, and the other by the Inhabitants of the Countries, and one Clerk, with one Religious Perſon to be aſſigned by the Biſhop of the Dioceſs; who were to enquire, by the Oaths of Lawful Men of every County, in what manner, and how much Wool, Wool-fels, Leather, Grain, Beaſts, Fleſh, Fiſh, or other Goods, had been wrongfully and illegally taken from the Clergy and Laity, for Victualling and

Setting out his Fleet, or for other Matters, ſince the War with *France:* But whether the King ever made any ſuch Satisfaction to his Subjects, in perſuance of his Enquiry, I no where find.

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Immediately upon the King's Arrival, * He iſſued out Writs of Summons to the *Militia* of the Nation, to meet Him at *Carliſle* on *Whitſon*-Eve, with their Horſe and Arms to go againſt the *Scots*, whoſe Power was now become Formidable, and their Forces Numerous: And beſides this, on the Tenth of *April*, He Summoned all the Earls and Barons, Two Knights of every Shire, Two Citizens of every City, and Two Burgeſſes of every *Burgh*, to meet and treat with Him at *York* the *Whitſontide* following, about certain arduous Affairs, that concern'd Him and the whole Kingdom. [1] And farther, He ſent his Summons to all the Great Men of *Scotland* of his Party, That if they continued in their Allegiance to Him, they ſhould not fail to meet Him there at that Time without any Excuſe; otherwiſe they ſhould be eſteemed as Enemies, and be dealt with accordingly.

Rot. Clauſ. 26 *Ed.* I. *M.* 5. *Dorſ.*

The King iſſues out Writs for the *Militia* of the Nation, to meet Him at *Carliſle*, to go againſt the *Scots*.

[1] C. *W. H.*

The Parliament being met, the Earls, Conſtable and Marſhal, fearing a Change in the King's Mind concerning the *Charters* of *Liberties* and the *Perambulations* of *Foreſts*, becauſe they had been confirmed under the Great Seal whilſt the King was beyond Sea, and not in *England*, plainly told Him, That unleſs He would now Ratify them anew, they ſhould go no further with Him: Whereupon ſince the King's Affairs required Diſpatch, and that the ſettling of theſe things as they ſhould be, would take up too much time, therefore the Biſhop of *Durham*, the Earls of *Surrey*, *Warwick* and *Gloceſter*, took upon them to Swear on His behalf, That He ſhould perform what they deſired at his Return from that Expedition; with which Engagement the Earls, Barons, and Great Men being very well ſatisfied, and all Jealouſies for the preſent removed, they marched againſt the *Scots* with great Courage and Chearfulneſs: But as for the *Scotiſh* Nobility, they neither came, nor ſent any Excuſe why they did not obey the King's Summons. But I ſhall now give you the Particulars of this Summer's Expedition.

[2] *Id. Ib.*

The Conſtable and Marſhal inſiſt to have the Charters of Liberties, and of Perambulations of Foreſts, confirmed before they would march with Him; whereupon, certain Biſhops and Lords Swear on the King's behalf, That He ſhall do it after his Return.

[3] the King leaving *York*, marched forward, and met the reſt of his Army that waited his coming at *Berwick*, having ſent the greater part of his Forces before a nearer way, which were order'd to join Him at *Roxborough* by *Midſummer*; at which time muſtering his Army, He found He had 3000 choice Horſe, or * Men at Arms, beſides 4000 light armed Horſemen; but as for the Foot they made about 80000, moſt of whom were *Iriſh* or *Welſhmen*: Then the King Advanced by eaſie Marches with the whole Army, ſpoiling and burning the Country as they went, until they came to a Place called *Temple's-Town*, lying near the Sea, where He expected the coming up of his Fleet with Proviſions for his Army; but the Wind being croſs and high, the Fleet could not get to them for ſome time, inſomuch that they were put to great Straits for want of Victuals; which the *Scots* underſtanding, they haſtened all they could to come and take them thus unprovided; but the Wind chopping about on the ſudden, the Ships got to them ſeaſonably enough to defeat the Enemies Deſigns.

[3] *Chron. Abing.* *H. K.*

The King coming to *Roxborough*, muſters his Army.

Note, Men at Arms, always ſignify Armed Cap-a-pé.

The King being come into *Scotland*, is in great want of Proviſions, by reaſon his Fleet came not to Him.

Whilſt the King ſtayed there, it was told Him that many of the *Scots* were in the Caſtle of *Drilington*, and in Two other neighbouring Caſtles, which the King had paſſed by, and that they Plundered the adjoining Country: He thereupon ſent the Biſhop of

[4] *Id.*

He ſends to take in certain Caſtles.

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Durham to beſiege and take in thoſe Caſtles; who finding that of *Drilington* to make a ſtouter Reſiſtance than he expected, and that his Men had nothing to eat, but ſuch Pulſe as they gather'd in the Fields, he ſent to the King to know His further Orders: Wherefore ſuppoſing that the Biſhop was now weary of the Siege, He ſent thither a Courageous Knight, called Sir *John Marmaduke*, whom He commanded, *Not to See his Face till thoſe Caſtles were taken*: But in the mean while the *Engliſh* Army receiving Three Ship-loads of Proviſions, they took freſh Courage, and aſſaulting that Caſtle, took it in three days; and preſently after, another Party took in the reſt of thoſe Caſtles.

The *Engliſh* Army recieve ſome Proviſions.

[5] *Id. ib.*

Yet by reaſon of the Fleets not coming, there ariſes a grievous Famine in the Camp, till ſome Ships came in with Proviſions.

[1] *T. W.*

The King Fights the *Scotiſh* Army, lead by *Wallys*, and gives them an entire Defeat.

The vaſt number of the *Scots* then Slain.

And but very few of the *Engliſh*.

Yet notwithſtanding this Succeſs, the reſt of the Ships with Proviſions, being kept back by contrary Winds, could not come up; which cauſed ſo grievous a Famine in the Camp, That the King was about to return to *Edinburgh*, when ſome of them came in with Proviſions (though not the Grand Fleet, which was ſtill kept back;) however the hopes of the *Scots* were thereby diſappointed. Then all things being ready for their Departure, the King left *Temple*'s *town*, and took his way towards a Town called *Fawkirk*, giving Order for his whole Army to follow Him; and after Two days March, approaching near that Place early in the Morning, they ſaw the *Scots* afar off on the ſide of a Hill, drawing up their Men in order of Battel, being placed in Three round Bodies, conſiſting of Lances; and in the Spaces between them were placed their Archers, and ſomewhat behind ſtood all their Horſe; which being much inferior to the *Engliſh*, [1] *William Wallys* their General, aſſiſted by ſome of the *Scotiſh* Nobility, was reſolved to Fight on Foot; but for their better Security, they ſtrengthned the Front of their Army with certain Paliſado's ſtuck in the Ground and tied together with Ropes. Before the Battel, *Wallys* made them a ſhort Speech, of which we have no more than this: *I have brought you to the King*; *hop* (i. e. *run*) *if you can, or dare*. Then, upon a Signal given by the King, the firſt Battalion boldly attacked the *Scotiſh* Army, whoſe Horſe being few and weak, firſt gave ground, and ran away, leaving the Foot to ſhift for themſelves; and the *Palliſado's* ſoon broken afterwards, the *Engliſh* fell in upon the *Scotch* Foot with that violence, that the Lances, not able to bear the gauling of the *Engliſh* Arrows, firſt gave Ground, and then were utterly put to Flight; in which, and in the Battel it ſelf, *Walſingham* ſays, Sixty thouſand of them were ſlain, which is indeed incredible; but *Everſden* and the *Norwich* Chronicle are more modeſt, and do not reckon above Fifteen thouſand, which I take to be the trueſt Account, though *Nicholas Trivet* reckons them at Twenty thouſand: But of the *Engliſh*, though ſome were ſlain, we do not find how many; yet no Perſon of any Note is mentioned, except *Adrian Le Say*, Maſter of the Knights-Templars, who was killed in the eager perſuit of the Enemy. As for *Wallys*, and the remainder of the *Scotch* Army that eſcaped, they ſaved themſelves by the benefit of the Night, flying to their wonted Retreats, the Woods and Mountains. Sometime after the *Scotch* Forces rallied again, and having burnt the Town of *Sterling*, retired into the North, beyond the *Fryth*, or River that runs under that Place.

But the [2] *Scotiſh* Hiſtorians do extreamly leſſen this Victory, and will not own above Ten Thouſand Men to have been then loſt on their ſide; and they aſcribe this Defeat to a Quarrel that happened among the Generals, who ſhould command in Chief; and that the Lord *John Comyn* envying *Wallys's* Reputation, withdrew himſelf from the Battel, together with all his *Military* Tenants or *Feudataries*: And as to *William Wallys*, they further relate, That ſo ſoon as he got to *Perthe* he diſmiſſed the Remainder of his Army, and though he never acted any more as a General, yet with a flying Party of his Followers, did not fail to infeſt the *Engliſh* whenever any Opportunity offer'd.

[2] *Hect. Boeth. L.* 16. *Buchan. L.* 9.

The different Account the *Scotiſh* Hiſtorians give of it, and the occaſion of this defeat.

King *Edward* having obtained this great Victory, treated his Priſoners, and all the *Scotiſhmen* He could light on, with due Severity, and then ſent over His Army on the other ſide the *Frythe*, which burnt and laid waſt moſt of the Towns there as far as *Perth*, ſpoiling all the Country round about, and taking the Homages and Fealties of thoſe *Scotiſh* Gentlemen that would come in and ſubmit to Him: But whilſt the King deſigned to have marched farther, He was defeated of that Intention, becauſe the Country being utterly waſted, and his Fleet with Proviſions not arriving as was expected, it cauſed ſo great a Scarcity in his Camp, that forced Him to retire through the Foreſt of *Selkirk* toward *England*, taking by the way the Caſtles of *Ayer* and *Loughmaban* in *Anandale*; and from thence He came to *Carliſle*, where the Earls of *Hereford* and *Norfolk*, being diſcontented that the King had done ſeveral things without their Privity, pretended their Horſes and Men were quite tired and worn out, and ſo took their leaves of Him and returned home: But as for Himſelf He went to *Durham*, where He held a great Council in the beginning of *September*, in which He beſtowed on ſeveral great Men of *England* and *Scotland* the Eſtates of ſuch *Scotiſh* Noblemen as had late rebelled againſt Him. I ſhall here only obſerve, That for want of a timely ſupply of Proviſions, the King loſt the faireſt Opportunity He ever had yet of totally reducing that Nation, there being no Enemies left in the Field to oppoſe Him. After this He removed to *Tinmuthe*, and from thence to *Cottingham* near *Beverly*, where He kept his *Chriſtmaſs*.

[3] *Chron. Ab.*

The King marches further into *Scotland*, and burns and ſpoils the Country.

Yet is at laſt forced to return into *England* for want of Proviſions.

He holds a great Council at *Durham* where He beſtows the Eſtates of the *Scotiſh* Noblemen, his Enemies, upon thoſe that had ſerved him.

But [4] to put all theſe Northern Affairs together, the *Scots*, notwithſtanding their late loſſes, now took advantage of the King's Departure, and again taking heart, raiſed a freſh Army, and choſe the Lord *Comyn* for their Governor; who by Advice of a great Council of the Nobility, ſent Envoys to the Pope and King of *France*, and by their Mediations they ſometime after obtained a Ceſſation of Arms till the Summer following; which, being but ill obſerved by the *Engliſh*, the *Scots* took the firſt Opportunity to break, as you will find under the next Year.

[4] *Buchan. L.* 9.

The *Scots* again take heart, raiſe another Army, and ſend Envoys to the Pope and King of *France* to interpoſe for 'em, who obtain a Ceſſation of Arms for a time.

To make an end of this Year with ſomething concerning *England*, I find nothing to have happened here remarkable, but the Death of two great Perſons, *viz. Humphery de Bohun* Earl of *Hereford*, and High Conſtable of *England*, who died ſoon after his Return from the *Scotiſh* Expedition; as did alſo *Guy Beuchamp* Earl of *Warwick*.

The Death of the Earl of *Hereford*.

As to Foreign Affairs this Year, [5] *Adolph* of *Naſſaw*, Emperor or King of the *Romans*, was Depoſed by the Electors and *German* Princes, and

[5] *Mezeray's* Hiſtory of *France ad hunc An.*

The Emperor *Adolph* is depoſed by the Electors, and *Albert* of *Auſtria* choſen in his room, who fights *Adolph*, and kills him in a Battel.

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Albert Duke of *Auſtria* Elected in his Room, who craftily beſtowed great part of the Money, which he had lately received from the King of *France* to corrupt the Princes of the Empire, and by their Suffrages ſo purchaſed, he obtained that Dignity for himſelf. But the Emperor *Adolph* was a Prince of too great a Spirit eaſily to part with his Crown; ſo the two Competitors coming to a pitch'd Battel on the Second of *July* near *Spire*, *Adolph* (though he fought with admirable Bravery, yet) being betrayed by his Commanders, there unhappily loſt his Life; and ſo that Diſpute was put to an End.

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* *Rot. Clauſ. M.* 18. *Dorſ.*

[1] *T. W.*

The K. holds a Parl. where he communicates the Articles of the Peace he had made with the K. of *France*.

King *Edward* being return'd out of the *North*, not long after *Chriſtmaſs* * held a Parliament at *London* on the firſt *Sunday* in Lent, [1] where He cauſed to be read before them the Pope's late Inſtrument or Award, which he had made and Publiſhed between the Kings of *France* and *England* the laſt Year, which (ſince it is very long and now become obſolete) I ſhall only give you the Heads of.

Firſt, After a Repetition of the Laſt Truce which had been already agreed upon, it farther recites, That whereas the ſaid Kings had by their Ambaſſadors and Procurators compromiſed unto him *Benedict of Cajeta*, as a Private Perſon (and not as a Pope) to be an Amicable Compoſer and Arbitrator of all Wars, Controverſies, Differences and Cauſes, whatever moved between them; he did therefore award and Pronounce,

Pronuntiatio P Bonifacij. Turre London 25 *Ed.* I. *N.* 758

I. That there ſhould be a firm and ſtable Peace between the two Kings.

The Articles of the Peace.

II. That the ceaſing of all Hoſtilities, by the Truce lately made and confirmed between the Two Kings for the Space of Two Years, ſhould be inviolably obſerved.

III. That the King of *England* ſhould Marry *Margaret* the King of *France*'s Siſter, and endow her with Fifteeen thouſand Pounds *Tournois* (*i. e.* 3750 *l. Sterling*) *per Annum*.

IV. That *Iſabel*, the Daughter of the King of *France*, not then Seven Years old, ſhould in convenient time be Married to *Edward* the King of *England*'s Son, who was then Thirteen years of Age, with the Dower of eighteen Thouſand Pounds *Tournois per Annum*.

V. That all Goods on either ſide, Ships eſpecially, taken before the War, and then not embezeled or deſtroyed, ſhould be reſtored; and if deſtroyed and not to be found, then either King to make Satisfaction at the Requeſt of each other.

VI. That all the Lands, Vaſſals and Goods, which the King of *England* had in *France* before the War, which He is to have reſtored to Him by Vertue of this Compromiſe, He ſhould have and enjoy under ſuch Conditions and Security as ſhould be awarded by the Pope.

VII. That all the Lands, Vaſſals and Goods, which the King of *France* was then poſſeſſed of, that were the King of *England*'s before the War, and thoſe the King of *England* was then poſſeſſed of, ſhould be put into the hands and Poſſeſſion of the Pope, and ſo to remain till the Kings themſelves agreed about them, or he ſhould order what was therein to be done, without prejudice to the Lands, Vaſſals and Goods of either of the Kings, as to the Poſſeſſion, Detention or Property of them.

This Sentence or Award was dated at the Pope's Palace in *Rome* on the Twentieth of *June* 1298.

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Theſe [2] Articles being openly read in Parliament, all the Clergy and Laity gave their Conſent to them. This done, the Earls, Barons and Prelates, demanded the Confirmation of the *Charters* of *Liberties*, and of the *Foreſts*, with the *Deforeſtations* then made. The King thereupon confirmed the former; but refuſed that for *Preambulation* of *Foreſts*, being unwilling to part with ſo much Land out of his *Foreſts* as they demanded; [3] and thereupon to avoid farther Importunity, a great Contention ariſing about it, the King departed privately from *London*; upon which all the Eſtates of Parliament looking on themſelves as ſlighted, return'd home in great Diſcontent and Anger.

[2] *T. W.* After which the Earls, Barons, &c. demand a further confirmation of the Charters he had promiſed to confirm; which the King refuſing, and leaving the Parliament privately, it breaks up in Diſcontent.

Walſingham relates, That in this Parliament the King being then deſired to confirm the Charters as He had Promiſed in *Scotland*, He after ſome delay conſented with a *Salvo Jure Coronæ*, *i. e. Saving the Rights of His Crown*; upon which the Earls and Barons returned Home, very much diſpleaſed, as they had Reaſon, ſince by Vertue of that Clauſe the King might have avoided all thoſe Charters whenever He pleaſed, by pretending that whatever He did not think fit to obſerve, was contrary to his *Prerogative* or *Rights* of the Crown.

[3] C. *Roff. in Bib. Cot.* *Walſingham* gives a more probable Account of it.

But at laſt, when He ſaw they would not be otherwiſe ſatisfied, He called another Parliament, to meet at *London* Fifteen days after *Eaſter*, (as appears by a * Record of this Year,) and in that (as *Nicholas Trivet* and *T. Walſingham* relate) the King confirmed the ſaid Charters, without any ſuch Clauſe as before mentioned; and further iſſued out a new Commiſſion to Three Biſhops, Three Earls and as many Barons, to make a freſh *Perambulation* of *Foreſts*, that upon any doubtful matters ariſing they might ſettle and declare them according to Juſtice, Equity, and good Conſcience.

He calls another Parliament, and again confirms them without any Saving Clauſe.

* *Rot Clauſ.* 27. *Ed.* I. *M.* 18. *Dorſ.*

To give you ſome Account of the Affairs of *Scotland*: In the latter end of this laſt Year, [4] the Lord *John Comyn*, Governor of *Scotland*, having ſent Envoys to the King of *France*, by his Interceſſion and that of *Margaret* his Siſter, now like to be Queen of *England*, he obtained a *Truce* for the *Scots*, then in Arms, for Seven Months: But *Buchanan* tell us it was not well obſerved on the *Engliſh* ſide; for they kept thoſe Ambaſſadors Priſoners, whom the Governor was ſending to Pope *Boniface* on their behalf.

[4] *Buchan. ib.* The *Scots*, by the Mediation of the *French*, obtain another Truce.

Wherefore ſince the *Scots* perceived they could not obtain a Peace, unleſs they would wholy ſubmit themſelves to the Tyranny of the *Engliſh*, rather than they would undergo it, they reſolved to run all Hazards whatſoever; and in the beginning of this Summer they renewed the War, and once more drove the *Engliſh* out of all Towns and Caſtles, except thoſe of *Roxborough* and *Berwick*.

Yet they not long after again renew the War.

But to repreſs theſe Inſolencies, and again to reduce *Scotland* to its Obedience, King *Edward* by His * Writs Summoned the *Militia* of the Kingdom to meet Him at *Carliſle* on the Vigil of *Pentecoſt*, to go with Him into *Scotland* againſt his Enemies; and to ſettle ſuch *Engliſh*, as He had given their Lands to, in the quiet Poſſeſſion of them. In the mean time He received a Meſſage from the Pope, which was, That He was ſending his Nuncio to *Monſtrevil* in *Picardy*, where there ſhould be a Treaty to determine all differences that remain'd between Him and *France*, in perſuance of his former Award. This Meſſage was communicated to the Archbiſhop of *Canterbury*, and the other Biſhops, Earls and Barons

The King again Summons his Militia to go againſt the *Scots*.

* *Breuia Regis. in Turre* London, 27. *Ed.* I.

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The King puts off their meeting for a time.

[4] *Chron. Sti. Alban. in Bib. Cot.*

He holds a great Council at *Weſtminſter.*

* *Brevia in Turre.* 27 *Ed.* I. Printed in *Pryn's* 3d Vol. *f.* 809.

He gives notice, That the Commiſſioners for the Perambulation of Foreſts, ſhould meet at *Northampton.*

rons, who thereupon adviſed Him to remain in the *South* until this Treaty ſhould be over, by reaſon of thoſe Debates that might happen in it, which ſhould require ſpeedy Advice and Reſolution: And therefore He wrote to all the Sheriffs of *England*, to make Proclamation, That the *Militia* ſhould not meet at *Carliſle* until the firſt of *Auguſt*. This bears Date at *Stabeneth* (now *Stepney*) the Seventh Day of *May* this Year. In the mean while the King [4] held a great Council of his Nobility at *Weſtminſter*, concerning the *Scotiſh* Expedition, and went about *Midſummer* to St. *Albans*, to implore the Aſſiſtance of that Saint in His intended War againſt the *Scots*; and from thence the King ſent his Writ or Letter, directed to the Archbiſhop of *Canterbury*, deſiring him to give order to his Suffragans that publick Prayers ſhould be made in all their Churches for the ſame purpoſe; and ſince many of the Nobility and People were ſtill diſſatisfied, that the *Perambulation* and ſetting out the Bounds of the *Foreſts* were not finiſhed ſo faſt as they deſired, the King ſent out * Writs to the Sheriffs of all Counties, to proclaim, and give notice, That the Commiſſioners for the ſaid *Perambulation* ſhould meet at *Northampton* at *Michaelmaſs* next, with full Power to proceed in that Buſineſs without Delay. This Record bears Date at *Lewis* the Five and twentieth of *June*.

Brevia Parl. Printed in *Pryn, f.* 810.

And ſets out a Proclamation, to give Reaſons why theſe Perambulations had not been done ſooner.

But this not being thought ſufficient, ſince it was reported and noiſed abroad, That the King did not intend to obſerve *Magna Charta*, nor the *Charter* of *Foreſts*, nor that He would ever ſuffer the *Perambulations* to be made, and their Boundaries ſet out; therefore the ſame day He iſſued forth another Proclamation, which was to give the Cauſes and Reaſons why theſe *Perambulations*, &c could not be made ſooner, and to let the World know, That He had been too rudely Treated, and not in due manner deſired to do theſe things; and that thoſe who raiſed theſe Reports, were malicious People, who deſigned only to foment Differences between Him and his Subjects, and to diſturb the Peace of the Nation: Dated the ſame Day, and at the ſame Place with the former Writ. But this Trouble the King might have avoided, by cauſing the Commiſſioners to have diſpatched this Buſineſs ſooner; and it was well if this Declaration now met with the Effect for which the King deſign'd it.

Nothing elſe happening conſiderable this Summer, I ſhall therefore give you an Account of ſome Matters relating to Foreign Affairs.

* *Rot. Alman.* 27 *Ed.* I. *M.* 11. *intus.*

The Kings of *England* and *France* agree to deliver up each others Dominions, according to the Pope's Award.

The Execution of the Pope's *Award*, or Sentence between the Two Kings, was ſtill delayed, neither of them being forward to deliver their Poſſeſſions, &c. in *Gaſcoigne*, into his hands, according to his late Award. But King *Edward* reſolving to make Peace if He could, * ſent the Biſhop of *Vicenza* to the King of *France*, before whom, with the Conſent of the King of *England*'s Commiſſioners, it was agreed, That both the Kings ſhould voluntarily perform that Article; and King *Edward* thereupon Authorized ſeveral Commiſſioners to deliver the Poſſeſſion of his Lands, Vaſſals and Goods, into the hands of the Biſhop, who was to receive them in the Name of the Pope, as a private Perſon, and as *Benedict* of *Cajeta*. This Inſtrument bears Date at *Weſtminſter*, the Twenty ſecond of *April*, 1299. the Seven and twentieth Year of *Edward* I. and in *May* following, Prince *Edward* made the Earl of *Lincoln* his Proxy, to contract the Eſpouſals with *Iſabel* the King of

France's

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France's Daughter, as appears upon the ſame Roll, though they were not then performed, nor long after this time.

While the Biſhop of *Vicenza* was in *France*, he ſollicited for the Releaſe of *John Baliol*, late King of *Scots*, by the King of *France*'s Mediation to the Pope, who gave it in Charge to the Biſhop his Legate, to move King *Edward*'s Ambaſſadors upon it; they granting his Requeſt, by the King's Conſent, obtained his Liberty, and he was * delivered to the Biſhop at *Whitſand* in *France*, by *Robert de Bourgherſh* Knight, Conſtable of *Dover* Caſtle, the King's Proxy, upon Saturday before St. *Mary Magdalen*'s Day (or Twentieth of *July*) upon Condition, That the Pope might direct and order what he pleaſed, only as to his Perſon and the Eſtate he had in *England*, as King *Edward* might have done, if He had been Perſonally with Him in *England*, ſaving to Him and his Heirs, Kings of *England*, the Kingdom of *Scotland*, the People and Inhabitants, and all the Appurtenances to that Kingdom: It being alſo there read, and rehearſed before his Delivery, and in his own Preſence, and in that of the Biſhop of *Vicenza*, That he had committed many Inhuman Treſpaſſes and Treaſons againſt his Sovereign Prince King *Edward*, contrary to his Homage and Fealty, *&c.* and that the Pope ſhould not ordain nor direct any thing in the Kingdom of *Scotland* concerning the People or Inhabitants, or any thing appertaining to the ſame Kingdom, on behalf of *John Baliol*, or his Heirs, *&c.* And upon theſe Terms, the Biſhop, in Name of, and as the Pope's Proxy, received him from the King's Commiſſioner on the ſaid Saturday abovementioned, *A. D.* 1299. and 27th of *Edward* I. Certainly at this time the Pope underſtood not that *Scotland* was his Seigniory, though he claimed it the Year after.

The late King of *Scots* is ſet at Liberty; with the Conditions of it.

* *Brevia* 26 27 *Ed.* I. *in Tur.* Printed in *Pryn. ib.* 779. and *Dr. B's. Append. N.* 36.

Yet it is moſt likely, That this was procured by *John Baliol*'s own Sollicitation, ſince He was willing to go any where, rather than into his own Country, He having voluntarily, and of his own Accord, (without the Privity of King *Edward*) in an * Inſtrument drawn up by a publick Notary, the Year before, renounced his Right to *Scotland*, and reſolved never to come there again, or to have any more to do with it; becauſe (as He ſaid) He had found ſuch Malice, Fraud, Treaſon, and Deceit in the *Scots*, That they had deſigned to Poyſon Him. This likewiſe appears by an Inſtrument upon Record, drawn up in the Preſence of *Anthony* Biſhop of *Durham*, whom He there Deſires, to make King *Edward* acquainted with the Premiſſes.

* Printed in *Dr. B's. Append. N.* 37. and in *Pryn*'s 3d *Vol. f.* 665.

Baliol renounced his Right to *Scotland*, before his Diſcharge.

After this, in [5] the beginning of *September*, the Lady *Margaret*, Siſter to the King of *France*, was Conducted to *England*, by the Duke of *Burgundy* and Earl of *Bretaign*, to whom King *Edward* was Married on the Twelfth of this Month, in the Cathedral Church of *Canterbury*, by the Archbiſhop. The Wedding was kept with great Splendour, and much Foreign Nobility were at this Solemnity: But though the King's Expectations were very great from this Match, yet neither His own nor the Nation's were at all anſwered by it; any more (as I may ſay) than they have been by ſome other Matches, that have been ſince made, between our Kings and other Ladies of the Royal Family of *France*.

[5] *T. W.*

The King is Married to the King of *France*'s Siſter.

The Mirth and Jollity of this Wedding being over, [1] the King held a Parliament at *York* on *Martin-maſs* (or Eleventh of *November*)

[1] * *Ibm.*

The King holds a Parliament; in order to carry on the War againſt *Scotland*, which is put off for a Time; and the reaſon of it.

to

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[2] C.W.H.

[3] *Chron. Lan.* The Nobility are diſcontented, that the great Charter was not duly obſerv'd.

The Deceaſe of *Henry de Newark*, Archbiſhop of *York*.

to adviſe how He might beſt carry on the *Scotiſh* War: And when it was broke up, the King, in order to perſue his Deſign, went as far as *Berwick* with his Army, intending to Relieve *Sterling* Caſtle, which was at that time beſieged by the *Scots*. But the Noblemen who were then with the King, informing Him, [2] That beſides the want of Forrage, the Boggy and low Grounds were impaſſible in this Winter Seaſon, He alter'd his Reſolution, and ſo ſent to the Beſieged, being in want of Victuals, bidding them Surrender the Caſtle upon Condition that their Lives and Limbs ſhould be ſafe; and ſo this Expedition ended. But another Reaſon of it's being put off, is alſo given by our [3] Author, who relates, That the Nobility being diſcontented, found fault that the Charters had not been duly obſerved ſince they were confirm'd; whereupon they taking their Leaves, and withdrawing themſelves into *England*, the King was forced to give over all farther Action for that Seaſon: After which He remain'd at *Berwick* till *Chriſtmaſs* was over, whilſt the Queen ſtayed at *Windſor*; but He did nothing more in thoſe Parts all that Winter. Nor do I find any thing elſe conſiderable to have happen'd this Year, except the Deceaſe of *Henry de Newark*, Archbiſhop of *York*, a Prelate no ways Remarkable, either for any great Vertue or Vice. He was Succeeded by *Nicholas de Corbridge*, a moſt Learned Divine, and General Scholar.

Anno Dom. MCCC.

The King returns from *Scotland*, and reſtores the Liberties of the City. *Fabian*'s *Chron. ad hunc An.*

**Rot. Clauſ. 28. Ed. I. M. 17. Dorſ.*

He holds a Parliament at *Weſtminſter*, with the Statutes there made.

The King having kept his *Chriſtmaſs* at *Berwick*, and delivered the Government of *Scotland* to *John de St. John*, and others joined in Commiſſion with Him, returned into *England* about *Candlemaſs*; and coming to *Wincheſter*, He ſent for the Citizens of *London*, and then reſtored their Liberties, after they had been kept Twelve Years in his Hands. But before He left *Scotland*, He iſſued out his * Writs, Dated at *Berwick*, on the Nine and twentieth of *December*, for the calling a Parliament, to meet Him at *Weſtminſter* on the Second Sunday in *Lent*; in which all the Eſtates being aſſembled, the *Great Charter* of the *Liberties* of *England*, and that of *Foreſts*, with the Statute of *Wincheſter*, at the Requeſt and Interceſſion of the Archbiſhop of *Canterbury*, the Earl Marſhal and all the Barons, were renew'd and confirm'd, and a new Statute made for the better explaining them, called *Articuli ſuper Chartas*, or Articles upon the Charters, which are Printed among the Statutes at Large, and in *Coke*'s Second *Inſtitutes. f.* 537.

[5] *Chron. St. Alban. in Bib. Cotton.* The King did all He could, with the Biſhops and Noblemen, to avoid paſſing theſe Statutes; but could not prevail.

But though our Printed Hiſtorians do not mention it, yet a [5] Manuſcript Author of that time relates, concerning this Tranſaction, That the King was at firſt loth to grant this Requeſt of the Archbiſhop and Barons, and therefore to avoid it, tryed to work upon each of the Lords apart, ſome by fair Words and Promiſes, and others by Preſents, to put off this Buſineſs 'till the next Parliament after *Michaelmaſs*; and therefore now deſired no more Aid of them, than a 20th part of their Goods; and through theſe ſubtile Methods He prevailed with greater part of them: Yet notwithſtanding this, the Biſhops, and many of the moſt conſiderable Noblemen, ſtill perſiſted in their firſt Demand of having the Charters Confirm'd, and that the Biſhops and Earls ſhould alſo put their Seals to them; at which Propoſals the King, much offended, asked them, If they took Him for a *Deceiver*? Whereupon the Lords deſiſted for a few days from their Petition; yet at laſt the King being prevail'd on, by the Perſwaſions of ſome that were near about Him, went into *Weſtminſter* Hall, and there confirm'd the greater Charter, with the *Articles* upon it, which He cauſed to be read before all there preſent, and then ordered his Great Seal to be put to it; and Speaking in *Engliſh*, commanded the Archbiſhop, if he knew the ſaid Articles to be Defective in any Point, That he ſhould declare it, and they ſhould be preſently amended: And then He permitted the Archbiſhop and Biſhops to denounce all thoſe *Excommunicated* that ſhould preſume to break or infringe the ſaid Charters, or any thing therein contain'd. This Prudent Act was very Seaſonable, and quieted the Angry Minds of the Nobility, eſpecially the Earl of *Warwick*, and the Lord *Walter Beuchamp*, Steward of the King's Houſhold, who were like to have gone into their Countries to have raiſed Forces to compel the King, had He not voluntarily agreed to do it.

Anno Dom. MCCC.

The Archbiſhop denounces Sentence of *Excommunication*, againſt all thoſe that ſhould infringe the great Charters, which quiets the Minds of the diſcontented Noblemen.

Not long after His Majeſty, the better to obtain the good Will of his People, [1] prohibited all thoſe Foreign baſe Coins called *Crocards* and *Pollards*, that were of a * mixed Mettle, from being any longer current; which proved a great Eaſe and Satisfaction to his Subjects, who had loſt much by them. I have no more to add concerning theſe Articles on the Charters, but that it being provided by the † Statute it ſelf, That for the better Obſervation thereof, in all Caſes where there was no Remedy at Common Law, there were Three Knights to be choſen in every County, Summarily to hear and determine, from day to day, all Matters concerning ſuch as had offended againſt the ſaid Charters, (the King's Miniſters not excepted) without allowing any Delays otherwiſe allowable by the *Common* Law: And theſe likewiſe had Power to puniſh Offenders, by Impriſonment, Ranſom and Amerciament, according as the Fault required.

[1] C. W. H. T. W.

The King calls in the baſe Money and *Pollards*. call'd *Crocards*.

* *Note*, they contain'd a little Silver, but much more Copper.

† *Vid.* the Stat. at large, *ad hunc An.*

Commiſſioners appointed to hear and determine all Complaints concerning the breach of the great Charters.

To the ſame purpoſe the King likewiſe Iſſued his * Writs to the Sheriffs, Coroners and Commons of all the Counties in *England*, to chuſe *Three Knights* to be at *York* on the Morrow of Aſcention, to receive his Inſtructions accordingly: Witneſs the King at *Weſtminſter*, the Seven and twentieth of *March*, in the Eight and twentieth Year of his Reign. He alſo ſent out other Writs to all the Sheriffs in *England*, by which He Commanded them to read the ſaid Charters, and Publiſh them Four times in the Year, *viz.* on the firſt County-days after *Eaſter*, *St. John Baptiſt*, *Michaelmaſs* and *Chriſtmaſs*; and as much as in them lay to ſee them firmly holden and kept in all their Articles. Witneſs the King at *Weſtminſter*, the Eight and twentieth of *March* the ſame Year.

* *Rot. Clauſ.* 28 *Ed.* I. *M.* 11. *Dorſ.*

Writs iſſued out to chuſe three Knights of each County, to receive the Sheriffs Inſtructions.

Then within leſs than Three Weeks after, (to the end that the People might be more ready for his Service, and willing to Aſſiſt Him with Subſidies upon occaſion) He directed his † Writs to all the Sheriffs of *England*, reciting, That whereas He had by his ſpecial Grace and Favour granted the *Articles* upon the *Charters*, ſo much to their Advantage, He Commanded them to proclaim them in the County-Court, and in all Burghs and Mercate Towns within their Counties or *Bayliwicks*, and to cauſe them to be firmly obſerved, and performed. Witneſs the King at St. *Albans*, the Five and twentieth of *April*.

† *Ib.* *M.* 7. *Dorſ.*

The Articles upon the Charters, are commanded to be Proclaimed in every County.

Anno. Dom. MCCC.

* *Ib. M. 8 Dorſ.* Other Writs iſſued out to the Commiſſioners of *Perambulations* of *Foreſts*, to receive the King's Inſtructions about them.

‡ *Contin. Hiſt. Eng. p.* 68.

And to ſatisfie the Minds of the People, He had, about a Fortnight before, directed his * Writs to ſeveral Commiſſioners in all Counties, where there were Foreſts, to make *Perambulations*, and to receive Inſtructions about them on the morrow of the Feaſt of *Aſcenſion*; with a Charge that through their neglect they might not remain undone. Witneſs the King at *Weſtminſter*, the Firſt of *April*.

Dr. † *Brady*, from a Clauſe in the foregoing Writ, reciting, That the King had granted the Charters abovementioned out of his ſpecial *Grace* and *Favour* (which Words are put in different Characters) would fain inſinuate, as if the Nation had no other Right to theſe Charters than the King's meer Favour and Grace; and therefore thus proceeds in his Relation concerning this Affair: *Yet all theſe Writs and Commiſſions did not ſatisfy the Earls, Barons, and Others; for they ſtill murmured, and pretended, that the* Perambulations *of Foreſts would not be really made, or duly performed.* Wherefore *Walſingham* relates, That the King held another Parliament at *Stamford*, to which the Earls and Barons came with great Force, and with Intent, as 'twas ſaid, to *Extort* the full Execution of the *Charter* of the *Foreſt*, then delayed; to whoſe Will the King condeſcended, and granted what they demanded.

But the Doctor places this great Council under a wrong Year: And tho' the word *Extort* is here made uſe of by the *Monkiſh* Writer, yet is it not to be taken in ſuch a Senſe, as if they had no Right to demand a freſh Confirmation and due Execution of thoſe Charters, ſince they were but the ſame his Father, Grandfather, and Himſelf, had ſo often Sworn to obſerve, and had been ſo well paid for; and had not the Execution of them been put off from time to time, it had been very great folly in the Nobility and People of the Kingdom ſo eagerly to have inſiſted upon the Performance of his Grant.

Co 2d. *Inſtit. Artic. ſup. Chartas. p* 569.

About this time He alſo ſent the Statute of *Wincheſter* to be again Proclaimed, with Command to all the Sheriffs in *England*, as it had been Confirmed and Renewed, (in the 17th Article upon the Charters) that they ſhould ſee it firmly obſerved and kept; in all and ſingular its Articles. Witneſs the King at *Stamford*, the Second of *May*

* *Rot. Pat.* 28 *Ed* I. *M* 14. Printed in *Pryn*'s 3d Vol. *p.* 884. The King at the Requeſt of the Biſhops Earls, &c. Iſſues out another Commiſſion for the *Perambulation* of *Foreſts*.

Then Eight Days after, the King being at St. *Edmund's Bury* *, at the Requeſt of the Prelates, Earls, Barons, and others there preſent, and to quiet their Minds, He the ſecond time renewed his Commiſſion to *Three Knights*, and others, to be Elected in each County, to ſee the Articles of the *Great Charter*, the *Charter* of the *Foreſt*, and Statute of *Weſtminſter*, well obſerved; and to puniſh all Offences againſt them, not puniſhable by the Common Law of the Realm; and this by ſpeedy Juſtice, and quick Proceedings upon Complaints from day to day, without allowance of ſuch Delays as the Common Law admitted; yet with a *Saving* to the Common Law, that it might not thereby receive Prejudice, or any Plea to be holden before theſe Commiſſioners, that might be determined by it. Witneſs the King at St. *Edmund's Bury*, *Decimo die Maii*, *A. R.* 28.

Other Writs to the Sheriffs to be Aſſiſtant to the Commiſſioners.

There are likewiſe Two other Writs upon the ſame Roll and Membrane, dated the ſame Day and at the ſame Place, to the Sheriffs of every County, to be Aſſiſtant to theſe Commiſſioners, ſo often as they ſhould give them Notice, and to impower them to Swear them in a full *County-Court*, well and faithfully to Execute their Office.

Anno Dom. MCCC.

He Summons all His Military Tenants to meet Him at *York.*

[2] C. J. E.

When the King had thus ſettled and compoſed the diſcontented Spirits of his Nobility and People, by theſe Gracious Conceſſions, having already Summon'd all his Earls, Barons, and Military Tenants to meet Him at *York* on *Midſummer-Day*, He there held another Parliament, or Council; [2] where his intended Expedition againſt the *Scots* was at firſt oppoſed by ſome of the *Earls* and *Barons*, who pretended that they were not Bound by their Tenures to attend Him thither; but they were ſoon Confuted, and put to Silence, from divers unqueſtionable Teſtimonies extracted from the Chronicles of *Marianus Scotus*, *William* of *Malmesbury*, and *Roger Hoveden*: And being now ſatisfied that they ought to attend the King in this Expedition, He immediately marched with a powerful Army into *Scotland*; and about the beginning of *July*, when He came in ſight of the *Scotiſh* Army, and found they declined Fighting, and retreated into the Country, He quietly encamped in *Anandale*, and there Beſieged and took the Caſtle of *Loghmaban* without any oppoſition: Then advancing farther, He did the like by the ſtrong Caſtle of *Caerlaverock*, which after ſome Reſiſtance, was taken by a Mine, and ſurrendred to the King's Mercy; into which He preſently put a ſtrong Gariſon. From thence He marched into *Galloway*, where the Biſhop of that Dioceſs came, to the King, on the behalf of the *Scots*, to Treat of Peace; but without any effect. Then a few days after, there came to him the Earl of *Bouquhan* and the Lord *Comyn* of *Badenagh*, and Treated with the King; but it ſoon broke of, becauſe of the unreaſonable Demands of the *Scotiſh* Nobility; who required, That He ſhould permit *John Baliol*, and his Son, peaceably to Reign over them; and that He ſhould again Reſtore them to their Eſtates, which He had already beſtowed on divers *Engliſh* Noblemen; declaring, That if He would not agree to this, they would Defend themſelves to the utmoſt; and ſo upon his not granting their Deſires, they parted in great Wrath.

Where ſome at firſt oppoſe his Expedition into *Scotland.*

Chron. Anon. in Bib. Cotton. Claud. D. 6.

He Marches into *Scotland*, and takes divers Caſtles, whereupon the *Scots* ſend to treat of a Peace, but without any Effect, their Demands being unreaſonable.

[3] *Id. Ib.*

The King marches farther into *Scotland*, and gains the Paſs over the River *Swyney.*

Then the King marched forward to the River *Swyney*, where He ſtaid ſome Days, till He could bring up Proviſions for his Forces from the Ships. Here the *Scots* again appear'd encamped on the other ſide the River, to ſtop his Paſſage: Whereupon He ſent over ſome Archers, who beat back the *Scots* with their Arrows; Yet the King fearing ſome Ambuſh by reaſon of their ſo ſpeedy Retreat, ſent the Earl of *Warren* to recal and bring back thoſe that were paſſed over; but they ſeeing the Earl coming towards them, imagin'd he had been come to their Relief, and again vigourouſly aſſaulted the *Scots*, who were then drawn up not far off. During their Engagement, another part of the King's Army, ſeeing the danger of their Countrymen, likewiſe paſſed the River to their Aſſiſtance, and were followed by Prince *Edward* with his whole Battalion; which the King obſerving, and ſeeing the danger of an Ambuſh was over, order'd a Charge to be Sounded, and preſently paſſed the River Himſelf with the reſt of his Forces; which ſo ſoon as the *Scots* obſerved, they fled to their Bogs and Mountains; however many were killed in the Perſuit. And here the King had given them an entire Defeat, if the *Welſh* Foot, who were moſt uſed to ſuch rough and difficult Places, had done their Duty; but yet, the *Engliſh* obtain'd an undiſputed Victory.

The King takes *Sterling* Caſtle after a long Seige.

After which, the King marched with his Army to the Siege of *Sterling*-Caſtle, which held out Three Months, notwithſtanding all the

Ann. Dom. MCCC.

King's Forces could do, and the Aſſault of divers Battering Engines rear'd with infinite Charge and Labour; yet the Governor *William Olivant*, was at laſt forced to Surrender it for want of Victuals, tho' upon advantageous Articles, which were not well kept with him.

[4] *In Bib. Bodl.*

The manner how it was reduced.

But the [4] *Eveſham* Chronicle (which *Fabian* follows) relates, That the King then fright'ned the Beſieged into a Surrender, by cauſing two pair of large Gallows to be erected before it; and commanded Proclamation to be made in the hearing of thoſe within, That if they did not yield up the Caſtle by a certain Day therein prefix'd, they ſhould be all hanged without Mercy: Whereupon, the *Scots* conſidering the Strength of the King's Forces, and their own Weakneſs, thought beſt to Surrender that Caſtle to Him, before the time was quite elapſed of their being received to Mercy.

The King is notwithſtanding forced to return home for want of Money and Proviſions, as alſo for other Reaſons.

[5] *In Bib. Cotton.*

After theſe Succeſſes, the King deſigned to have marched farther into the *Northern* Parts, and to have reduced the whole Kingdom to his Obedience, but He was fain to return homewards for want of Money and Forage, and a ſufficient number of Foot; to all which, the nameleſs [5] Chronicle already cited, adds, That the Earls, and Barons, being weary of theſe Delays, and having loſt their Horſes, and ſpent all their Money in this Service, deſired leave to go home: At which, the King being much perplex'd, held a great Council of War with the Noblemen about Him, who were all of Opinion, That the Summer being far ſpent, He ſhould for the preſent diſmiſs the greater part of his Army; which the King agreeing to, that He might do the beſt He could to ſecure that Country, put good Gariſons into the Caſtles He had gained, and immediately returned home. But He had alſo a good Pretence for this Reſolution, by reaſon of the Pope's unexpected interpoſing himſelf on behalf of the *Scotiſh* Nation; to underſtand which, I muſt let the Reader know,

[1] *T. W.*

The *Scots* prevail upon the Pope to take their Part; with their Complaints to him.

That about the beginning of this Year, [1] the *Scots* believing all things Saleable at *Rome*, had ſent their Envoys thither, and richly preſented Pope *Boniface*, moving him for his Judgment and Aſſiſtance againſt the *Engliſh*, making lamentable Complaints, and repreſenting to him the afflicted State of their Country, and the Uſurpation of the King of *England* upon them, and his moſt Tyrannical Proceedings with them, contrary to all Right and Equity; proteſting, they never knew of any Sovereignty He had over them, but that they were a free Kingdom of themſelves, and as ſuch He had dealt with them at firſt upon the Death of their laſt King *Alexander*, both in the Treaty of the Marriage for his Son *Edward* with *Margaret* the *Heireſs* of *Scotland*, and alſo after her Deceaſe, for the Deciſion of the Title to the Crown; wherein He ſought by their Conſents to be made Arbitrator, as indeed He was, howſoever afterward they were conſtrained to give way to his Will; yet what ever they yielded unto, was only becauſe they were otherwiſe unable to reſiſt; as alſo ſeveral other things needleſs to be here repeated. Upon the Receipt of which Letters, the Pope ſo far complied with their Deſires, That he ſent over a Nuncio into *England*, and appointed the Archbiſhop of *Canterbury* his extraordinary Legate, ordering him to go with the Pope's Brief or Letter, and deliver it with all ſpeed to the King, which was to this Effect:

Whereupon the Pope orders the Archbiſhop to go to the King with his Bull in their Favour.

[2] *Id. ib.* The Effect of it.

Firſt, ‘ [2] His Holineſs laid Claim to the Sovereignty of the Kingdom of
‘ *Scotland*, as belonging to the Church of *Rome* by a full and perfect
‘ Right; and then Requires and Exhorts the King, in the Name of God,
‘ to Diſcharge out of Priſon, and Reſtore to their former Liberty, all
‘ Biſhops, Clerks, and other Eccleſiaſtical Perſons; and to remove all
‘ his Officers, whom by Force and Fear He had appointed to govern
‘ that Nation under Him; and willed Him, if He pretended any Right
‘ to the Kingdom of *Scotland*, or any part of it, not to omit ſending
‘ to him Commiſſioners fully inſtructed, within ſix Months after the
‘ Receipt of his Letters, He being ready to do Him Juſtice, as his Be-
‘ loved Son, and inviolably to obſerve his Right, if He had any; Refer-
‘ ring and Reſerving to the Cognizance and Determination of the *Ro-*
‘ *man* See, all Queſtions, Strifes and Controverſies whatſoever, between
‘ the ſaid King and the Kingdom of *Scotland*, and the Prelates, Clerks,
‘ and Secular Perſons thereof, which then had been, were, or might be,
‘ for the future: Decreeing it void, if any thing ſhould be attempted to
‘ the contrary. This was dated at *Anagnia*, the 5th of the Calends of
July, or the 27th of *June*, *A. D.* 1300.

The Pope takes the Appeal of the *Scots*, and declares he will hear the Differences between them and the King.

What the Archbiſhop did in perſuance of this Bull, appears in * *Matt. Weſtminſter*, who has given us a full Relation of it from this Prelate's own Letter, or Report to the Pope of all his Proceedings in this Affair; where he declares, That he was very well pleaſed with the Employment his Holineſs had entruſted him with; and to ſhew his ready Obedience to his Commands, lets him know, That he made what haſt he could to attend the King at that time in *Scotland*, and came to Him the 25th of *Auguſt*, being then at Dinner in his Camp near the Abbey of *Dazquer*. He appointed him the next Day for the Delivery of the Pope's Letters and Meſſage, which was done accordingly; and the Letters preſented to the King, before Prince *Edward* his Son, the Earls, Barons, and a great many Knights of his Army, who cauſing them publickly to be read, were attentively heard by them all: Then the Archbiſhop (as himſelf in his Letter to the Pope relates) perſuaded the King, by all Ways and Means he could think of, to Obey and Comply with every thing contain'd in the Brief; which done, he withdrew by the King's Command, whilſt He conſulted with his Great Men; and being called in again had this Anſwer: *That having received the Pope's Admonition, concerning the State of the Kingdom of* Scotland, *it was the Cuſtom of* England, *That in ſuch weighty Affairs, all whom theſe Matters concern'd ought to be Adviſed with; and the preſent Buſineſs of* Scotland *having relation to the State and Right of the Kingdom of* England, *there were many Prelates, Earls, Barons, and Great Men, not then with Him in the Army, concern'd in it, without whoſe Advice He could not Anſwer fully: Therefore that He intended, as ſoon as He could, to Conſult and Deliberate with the abſent, as well as preſent, Great Men, and by their common and joynt Determination, ſend his Holineſs an Anſwer by Meſſengers of his Own.*

* *Ad hunc Annum.*

The Archbiſhop readily obeys the Pope's Orders, and goes into *Scotland* to the King, and delivers the *Brief*.

The King conſults with his great Men, and returns the Archbiſhop a prudent and gallant Anſwer.

This is the Archbiſhop's own Account in * his Letter to the Pope of this Tranſaction with the King; but *Walſingham*, (as alſo ſome Manuſcript Chronicles of that time) ſay, The King return'd the Pope a much

* *Matt. Weſt. ut ſupra.*

Other Writers make the King to return the Pope a bolder Anſwer.

much bolder Anſwer to this Meſſage, by the Archbiſhop, *viz. That He would for no cauſe whatever ceaſe to defend his Right againſt the* Scots *both by Words and Actions.* Yet this is certain, That the King, for the Reaſons already given, as alſo that He might not be thought obſtinate in oppoſing the Pope's Commands, immediately (being near the end of *Auguſt*) made a Truce with the *Scots* till *Whitſontide* following; and then returned into *England* about the beginning of *September*.

* *Rot.Clauſ.*28. *Ed.*I. *M.*3.*Dorſ.* Printed in *Pryn*'s 3d Vol. *p.* 884.

The King Summons divers learned Clerks to attend him at the Parliament at *Lincoln*, and for what Purpoſe.

* *Ib.*

He writes likewiſe to the Chancellors of both Univerſities, for the moſt knowing Men in the Civil-Law.

Ib. Printed in *Pryn*, *p.* 885.

The King, that He might be the better prepared to return the Pope an Anſwer to his late Letters, ſo ſoon as He came to *Roſe*-Caſtle in *Cumberland*, ſent out his * Writs of Summons, bearing date the Six and twentieth of *September*, directed to certain of His own Clerks, and to ſeveral Deans of Cathedral Churches, as alſo to Archdeacons, Officials, and others that had the beſt Reputation for Antiquaries and Lawyers in thoſe times, to come to the Parliament at *Lincoln*, for that He would have ſpecial Conference and Treaty with them and Others of His Council, concerning the Right and Dominion He and His Anceſtors had over the Kingdom of *Scotland*; and to the ſame purpoſe He * Wrote to the Chancellors of both Univerſities, to ſend to this Parliament the moſt experienced and knowing Men in the Civil-Law, who were alſo ſent accordingly: And further He directed His Writs to ſeveral Deans and Chapters, and Abbots, and Priors, and their Convents (being the chiefeſt of the Nation) to ſearch their *Archives*, and ſend to this Parliament Extracts from all ſuch Chronicles in which was to be found any thing concerning his Sovereignty over the Kingdom of *Scotland*, or that might make good his Title to it: And what theſe Perſons ſo Summoned did in perſuance of theſe Writs, you will find hereafter.

The main Ends of this Parliament at *Lincoln*.

* *Rot.Clauſ.*28. *Ed.*I. *M.* 9. *Dorſ.*

But though this might be one End of the King's Summoning this Parliament at *Lincoln*, yet it was not the chief Deſign of that Meeting, but rather to put an end to the the long depending Differences about the *Foreſts*, and for receiving the Returns of the *Perambulations* of them, and hearing and determining all juſt Claims and Exceptions concerning them, which appears by the Kings * Writ dated the ſame Six and twentieth of *September*, at *Roſe*-Caſtle in *Cumberland*: But the Writ being very extraordinary (though it be ſomewhat long) I ſhall here give you the Subſtance of it.

The Subſtance of the Writ of Summons to this Parliament.

After a Recital, ‘That the King had granted the Charter of the *Foreſt*, and had aſſigned Commiſſioners, in every County where there were *Foreſts*, to make *Perambulations*, and to report them to Himſelf before any Execution was done thereon, that His Own Oath, the Right of the Crown, his Reaſons and Claims, as well as thoſe of all Others might be ſaved; and though the ſaid Commiſſioners had already returned to Him what they had done, yet becauſe the Prelates, Earls, Barons, and Great Men of the Kingdom, in whoſe Preſence He would have his Own and the Reaſons of all others propoſed and heard, were not then preſent with Him; ſince there were Others who were bound with Himſelf to obſerve and maintain the Laws and Rights of his Crown; and farther, that thoſe who ought to propound their Reaſons concerning this Matter, had no notice of it, without whoſe Advice, a good End could not be put to it: Therefore becauſe this Buſineſs might be diſpatched without Delay, He was willing to have a Conference

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‘ ference and Treaty with the Prelates, Earls, Barons, and Great Men ‘ aforeſaid, and others of the *Community* of the Kingdom, concerning ‘ this Affair, and other Arduous Matters touching Himſelf and the ‘ State of the Kingdom; He therefore commanded and firmly enjoyn'd ‘ him the ſaid Sheriff of *Cumberland*, to cauſe to appear before the King ‘ at his Parliament at *Lincoln*, on the Octaves of St. *Hillary* next coming, ‘ Two Knights of his County, *viz. Thoſe who came for the Community* ‘ *of the Country by his Precept to the laſt Parliament, and alſo the ſame Citizens* ‘ *and the ſame Burgeſſes, for all the Cities and Burroughs within his Bailiwyck*; ‘ *and if any of them were Dead, or infirm,* then to cauſe others to be ‘ choſen, and come in their ſtead, ſo that they might be preſent ‘ at the Day and Place aforeſaid, with full Power to hear and ‘ do what ſhould be then ordained for the Common Profit of the ‘ Kingdom.

Then the Writ concludes with a Clauſe of allowing the Knights and Citizens reaſonable Expences in coming to, ſtaying at, and returning from the Parliament; and with a farther Command to the Sheriffs, to make Proclamation in their Counties, That all thoſe who would put in any Exceptions againſt the ſaid *Perambulations*, ſhould appear before Him, and exhibit them in Parliament. Witneſs the King at the * *Roſe* the Six and twentieth of *September*, in the Eight and twentieth Year of his Reign. The like Writs were ſent to all other Counties of *England*, beſides *Cheſhire* and the Biſhoprick of *Durham*.

* *i. e.* the Caſtle ſo called.

This Writ Dr. *Brady* hath miſplaced in the laſt Vol. of his Hiſtory, putting it before the King's Expedition into *Scotland* this Summer, whereas it was not iſſued until the Autumn after his Return: And ſince the Doctor, in his Introduction to the Hiſtory of *England*, hath drawn ſome Arguments from this Writ, to prove that the King might antiently have cauſed what Members He pleaſed to be return'd to Parliament, having I hope, fully anſwered thoſe Reaſons in my *Introduction*, I need ſay nothing farther to it; yet I have thought fit to Print the foregoing Writ *Verbatim* from the Record in the *Tower*, for the Reader's better Satiſfaction, as you will find in the *Appendix*.

P. 69.

This is the Subſtance of the Writ of Summons in *Engliſh*, wherein the Reaſons are given why the *Perambulations* could not be received and conſidered ſooner: And the Writs to the Biſhops, Earls, and Barons, were in the ſame Form and Words, as to the Reaſons of it, as thoſe to the *Commons*.

* The King then wrote alſo to the Commiſſioners, that had made the ſaid *Perambulations*, to be at this Parliament, and bring with them thoſe *Perambulations*, and all things that concern'd them.

* *Ibm.*

But I ſhall defer the ſaying more of this great Parliament, till the beginning of the next Year, and conclude this with ſome Foreign Affairs. [4] King *Edward* having now quite Deſerted the Earl of *Flanders*, and left him to ſhift for himſelf, he was reduced by the King of *France* to that Extremity, That he was forced to ſurrender himſelf and his Two Sons to *Charles* Count of *Valois*; and theſe Young Princes being brought to *Paris*, were ſent from thence and kept cloſe Priſoners at *Compeigne*.

[4] *T. W.* The Earl of *Flanders* being reduced to great Extremity, is forced to ſurrender himſelf and Sons to the King of *France*.

I muſt not here omit one thing conſiderable that happened alſo in *England*, *viz.* That upon the Death of *Edmund* Earl of *Cornwall* without Iſſue, on the Firſt of *October* this Year, That great Earldom fell to the King.

As

Ann. Dom. MCCC.

H. K. M. W. Pope *Boniface* ordains the firſt Jubilé.

As for Eccleſiaſtical Affairs; [5] Pope *Boniface* this Year ordain'd the firſt *Jubilé*, wherein all Pilgrims that came to *Rome*, were to receive a Plenary Indulgence and Remiſſion of their Sins. This was appointed to be once in a Hundred Years; but by divers ſucceeding Popes, it was afterwards altered to Fifty, and then to Five and twenty Years, as it remains at this Day.

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[1] *Ch. St. Albani. in Bib. Cotton.* The King meets the Eſtates in the Parliament at *Lincoln*; and the Speech that was then made to them by the King's Secretary, on his behalf.

He deſires an Aid from them, who thereupon ſet forth their Greivances.

The [1] King kept his *Chriſtmaſs* at *Northampton*, with his Queen and Children, being attended with a numerous Appearance of his Nobility and Biſhops. Then after Three Weeks there ſpent in this Feſtival Solemnity, the King removed to *Lincoln*, where He met the Archbiſhops, Biſhops, Earls, Barons and Commons in Parliament, according to his late Summons. At the opening of this Aſſembly, *Roger de Brabaſon*, the King's Chief Clerk or Secretary and Privy Councellor, made them an excellent Speech on the King's behalf, to this effect. 'His Majeſty has 'ordered me to let you underſtand, That whatever He hath done in his 'late Wars, hath been perform'd by your joint Conſent and Allowance; 'but that lately, by reaſon of the ſudden Incurſion of the *Scots*, and 'the Malicious Contrivances of the *French*, the King had been put to 'ſuch extraordinary Expences, that being quite deſtitute of Money, He 'therefore deſired a Pecuniary-Aid of them, to wit, a *Fifteenth* of their 'Temporal Eſtates. Whereupon the Nobility and Commons began to murmur, both by reaſon of the late frequent Payments of *Tenths* and *Fifteenths*, as alſo becauſe they had been ſo often diſappointed of the long expected *Perambulation* of *Foreſts*: They alſo complain'd of the wrongful and violent Oppreſſions that had been generally committed by the King's Officers, and required that the Ancient Liberties contain'd in *Magna Charta* ſhould be better obſerved, and that the *Deforeſtations*, which the King had ſo often promiſed, ſhould be now concluded and ſet out.

[2] *Id. ib. Ch. Roſ.* The King at laſt gives a Gracious Anſwer to their Complaints.

Rot. Preambulationis Foreſtar. 29 *Ed.* I. *in Turre. A. D.* 1301. The Bounds of Foreſts now ſettled.

Theſe [2] and divers other Articles they earneſtly deſired of the King; who delayed his Anſwer for ſome days, but finding they would not deſiſt, nor would upon any other Terms aſſiſt Him in his Neceſſities, He at laſt ſent them this Gracious Anſwer, *That He was ready to Grant and Confirm whatever they could in reaſon ask or deſire.* Then the * *Perambulations* of the *Foreſts*, (the main Buſineſs for which this Parliament was called, according to the Purport of the preceeding-Writ) were exhibited therein; and the King heard and confirmed them with this Clauſe; *That whatever by theſe laſt* Perambulations *was* Deforeſted, *ſhould remain ſo; and what was then allowed to be* Foreſt, *according to the Metes and Bounds then ſet out, ſhould be ſo for ever.* Theſe Letters Patents, or Confirmations of all the *Perambulations*, bear Date at *Lincoln*, the Fourteenth of *February*, in the Nine and twentieth Year of his Reign.

**Rot. Clauſ.* 28 *Ed.* I. *M.* 7. 8. *Dorſ.*

† *Rot. Peram. Foreſt.* 29 *Ed.* I. *ut. ſupra.*

The Parliament grant the King a 15th of their Moveables.

*Then the King alſo confirm'd the *Great Charters* of *Liberties* and *Foreſts*, and commanded them to be ſent down and Proclaim'd in all the Counties of *England*; by which Gracious Conceſſions, He ſo far obliged both the Nobility and Commons, † That they readily granted Him a *Fifteenth* part of all their *Moveable* Goods to be paid by the Feaſt of St. *Michael* next enſuing: But the Archbiſhop of *Canterbury* and his Clergy would grant nothing out of their *Temporal* or *Eccleſiaſtical* Revenues, without the Pope's Licence.

And

* *Rot. Clauſ.* 25 *Ed.* I. *M.* 7. *Dorſ.*

And preſently after this Parliament was riſen, the King iſſued out freſh * Writs to all Sheriffs for the Election of Three Knights, or other ſufficient Freeholders of each County, for the Enquiry into, and Puniſhing all Offences againſt the Great Charter and that of Foreſts; and that for the due Performance thereof, they ſhould meet the King at *York* the Morrow after the Feaſt of the Lords Aſcenſion, to perform thoſe things, which He ſhould then enjoin them for the due Obſervation of the ſaid Charters. Dated at *Weſtminſter* the 26th of *March*.

[3] *In Bib. Cotton.*

A great Council of the Nobility fall upon ſeveral Raſh Projects.

The King's reſolute Anſwer to them.

Whereupon they deſiſt from further deſiring them.

I muſt here take notice of what is omitted by moſt other Authors, *viz.* That Matters did not go ſo ſmoothly at this Parliament, as is commonly ſuppoſed; for the ſaid [3] Chronicle of St. *Albans* informs us, That the Great Council of the Nobility, being continued (after the Commons were riſen) till towards the latter end of *Lent*, they began to fall upon ſeveral raſh and imprudent Projects and Demands; as, That the Chancellor, Chief-Juſtice, and Treaſurer, ſhould be choſen and appointed by the *Community* of the Kingdom; which ſo far provoked the King, that He return'd them this reſolute Anſwer, *I perceive You would at Your Pleaſures make Your King truckle to You, and bring Him under Subjection. Why have You not asked the Crown of Me alſo; whilſt at the ſame time You look upon That as very fit and neceſſary for your ſelves, which you grudg Me that am Your King: For it is lawful for every one of You, as Maſter of his own Family, to take in, or turn out what Servants he pleaſes; but if I may not appoint my Chancellor, Chief-Juſtice, Juſtitiary, and Treaſurer, I will be no longer Your King; yet if they, or any other Officers ſhall do You any Wrong or Injuſtice, and Complaint be made of it to Me, You ſhall then have ſome Reaſon to Complain if You be not Righted.* This ſo reaſonable Anſwer of the King's, made thoſe aſhamed that were for theſe Alterations, and though ſeveral of them deſired Trouble and Diſturbance, rather than Peace and Quietneſs, yet the Major part of the Nobility ſeeing theſe Deſigns to be vain and frivolous, humbly begged the King's Pardon for their Preſumption.

[4] *Id. Ib.*

The King's Gracious Promiſe to maintain all their *Liberties*.

24 Knights are appointed to diſtinguiſh the new Foreſts from the old ones, and the former to be diſforeſted.

Then He being deſirous to obtain the Good-Will of his Nobility, with an affable though Majeſtick Countenance, of his own Accord [4] promiſed faithfully to obſerve all the *Liberties* contain'd in the *Great Charter*. It was alſo then and there agreed, That Four and twenty Knights ſhould be choſen out of the whole Kingdom, who ſhould be obliged upon Oath to diſtinguiſh the New *Foreſts* from the Antient ones, and that all thoſe, that were found to be made *Foreſts* ſince the firſt Coronation of King *Henry* the *Third*, ſhould forthwith be *disforeſted*. After this, the King cauſed the Sentence of *Excommunication* to be again renewed and denounced againſt all Violators of the ſaid *Great Charters*, which He Himſelf by Means of evil Councellors had too much violated before: Upon which all Jealouſies and Ill-Will being for the preſent removed, the Great Men relying on the King's Word, were contented with what He had done.

After the Tranſacting and Settling theſe Great Affairs, the King not being willing to make any direct Anſwer to the Pope's late *Brief*, wherein He required Him to ſubmit all his Differences about the Kingdom of *Scotland* to his *Holineſs*'s Judgment, and to ſend Meſſengers for that purpoſe to Him; therefore the King, to avoid and extricate

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The King orders the Pope's late Brief to be read before the Earls and Barons.

* F. 885.

They order a bold Letter to be writ in Anſwer to it.

extricate Himſelf out of this Difficulty, ordered the ſaid *Brief* to be read to the Earls and Barons Aſſembled in Parliament: Whereupon there aroſe great Debates amongſt the Lawyers, how, or after what manner this Bull or Letter ſhould be anſwered, as appears by part of an old Parliament-Roll in the *Tower*, of the Nine and twentieth of this King, truly Printed in Mr. *Pryn*'s * 3d Volume of *Papal Uſurpations*. The Reſult whereof, upon hearing the whole matter, was, That the Earls and Great Men of the Kingdom forthwith ordered a bold but ſenſible Letter to be Written to the Pope in all their Names, there being then above One hundred preſent, as alſo on the behalf of the *Community* of the whole Kingdom, which was Writen in *Latin*, to this effect.

The Subſtance thereof.

† See, divers Copies of this Letter in *M. W. T. W.* and *Dugdale*'s Summons to Parliament, being Tranſcribed from the Original Record in the *Exchequer*.

Firſt, † They begin with a Compliment, wherein they tell his *Holineſs*, 'That though the Holy *Roman* Church doth (as they firmly hope and believe) always proceed with that Judgment and Caution, as to prejudice None, but to preſerve the Rights of all particular Perſons Inviolable, yet that in a General Parliament now lately held at *Lincoln* by their Serene Lord King *Edward*, He there ſhewed and declared to them a Bull, or Letter, which He had lately received from his *Holineſs*, about certain Matters highly concerning the State of the Kingdom; which being read and underſtood, it was found they contain'd divers things very wonderful and never heard of before.

'Then they proceed to let Him know, That it was Notorious to theſe parts of the World, that from the very *firſt Original* of the Kingdom of *England*, the Kings thereof, in the times of the *Engliſh-Saxons*, enjoyed the Superior and Direct Dominion of the Kingdom of *Scotland*, and alſo continued in Poſſeſſion of the ſame, during all Succeeding Generations.

'And further declared, That in Temporals, the Kingdom of *Scotland* by no manner of Right whatever belonged to the Church of *Rome* at any time; That it was an antient Fee or *Feudal Right* of the Crown and Kings of *England*, and that the Kingdom and Kings of *Scotland* have been Subject only to the Kings of *England*, and to no other; and, That the Kings of *England*, concerning their Rights in that Kingdom, or other Temporalities, have never anſwered, nor ought to anſwer, before any Eccleſiaſtick or Secular Judge, by reaſon of their Royal Dignities, and Cuſtom to the contrary in all Ages: And to ſignify to Him, That having diligently conſidered his Letters, it was, and for the future ſhould be the common, unanimous, and unſhaken Reſolution of all and every one of them, That their Lord the King, concerning his Rights in *Scotland*, or other his Temporal Rights, ſhould in no wiſe anſwer Judicially before Him, or ſend Proxies or Commiſſioners to Him; eſpecially when it would manifeſtly tend to the Diſinheritance of the Crown of *England*, and Dignity Royal, and to the notorious Subverſion of the State of the Kingdom, to the Prejudice of their Liberties, Cuſtoms, and Paternal Laws, which by their *Oaths* they were bound to Obſerve and Defend, and which by the help of God they would maintain with their whole Force or Power; nor would they permit the King to do ſuch ſtrange and unheard of things, if He ſhould attempt it. Wherefore they Reverendly and humbly beſeech his *Holineſs*, favourably to permit the King in Peace to poſſeſs his

'Rights,

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‘ Rights, Liberties, Cuſtoms and Laws aforeſaid, without Diminution or Diſturbance. In Witneſs whereof, they put to [1] their Seals (being One hundred and four in all) for themſelves and the whole *Community* of the Kingdom. Dated at *Lincoln* the Twelfth of *February*, *A.D.* 1301. In the 28th of *Edward* I.

From which notable Monument, we may obſerve what Opinion the Earls and Barons of the Kingdom then had of the King's Superiority and Dominion over *Scotland*, as alſo that the Pope had no Right or Title to any Sovereignty over that Kingdom; therefore had nothing to do to Summon King *Edward* to make his Defence for that Matter, before a foreign Tribunal.

I can find nothing farther done before the breaking up of this Great Council, than that the King, the better to ſatisfy his Nobility and Commons, now iſſued out new Letters-Patents under his Great Seal, for the ſtrict Obſervation of both the *Great Charters*; wherein, reciting his late Grant and Confirmation of them, He thus concludes, *We will and Grant, for Our Selves and Our Heirs, That if any Statutes ſhall be made contrary to the ſaid Charters, or any Article therein contain'd, they ſhall be amended by the* Common Council, *in the manner as they ought, or elſe ſhall be annulled.* This bears Date at *Lincoln*, the Twenty-eighth of *February*, *A. R.* 29, and is extant in the *Tower* under the Great Seal, which we have Publiſhed and Printed in the *Appendix* to this Volume, becauſe Dr. *Brady* has not thought fit to take any notice of it

This Charter (I ſuppoſe) was made not long after the Diſſolution of this Great Council of the Nobility; which though it continued to ſit and do Buſineſs, as the *Community* or General Body of the Kingdom, as I grant, Dr. *Brady* hath ſufficiently proved in his † *Introduction* to *Engliſh* Hiſtory, yet that they *acted thus not only by their Own Authority, but by the Order and Delegation of the Commons themſelves, I hope I have as ſufficiently made out in my* Introduction.

But though the Deans of Churches, and other Delegates from the moſt conſiderable Abbies, had now brought Extracts from their ſeveral Chronicles to the late Parliament at *Lincoln*, which being there Reported, had fully ſatisfied the King and Eſtates of the Kingdom, concerning his Claim to the Sovereignty and Dominion over *Scotland*; yet were not theſe Teſtimonies drawn into any Form, until above Two Months after; and then the King, to give all due Reſpect and Satisfaction to the Pope, by the Advice of his Council, caus'd a [2] long Epiſtolary Declaration to be drawn up, directed to Pope *Boniface*, ‘ Setting forth from divers Chronicles of *England*, remaining in ſeveral Abbies, the Superiority and Dominion of the Antient *Engliſh* Kings over thoſe of *Scotland*, with the ſeveral Homages which the latter had at any time made to the former; and it then proceeds to give a Brief Account (from the Records and Memorials taken of this Tranſaction) of the Vacancy of the Throne, upon the Death of *Margaret* late Queen of *Scotland*, and the Diſputes that had ariſen thereupon, among the ſeveral Competitors to the Crown; which had been, by the Biſhops, Abbots, Earls, Barons, and other Noblemen and Commons of that Kingdom, voluntarily refer'd to His Determination, as Supreme Lord, and which had been alſo acknowledged and ſubmitted to by each of the Competitors to that Crown, and that in vertue thereof, He had declared *John de Baliol* Lawful King of

[1] See alſo a Copy of this Epiſtle with the Seals Appendant, engraven, and Printed at Oxford 1678.

† P. 153.

[2] The King's Declaration to the Pope, of his Right to the Dominion over *Scotland*. *Vid.* this Declaration in *M. W. ad hunc An.*

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‘of *Scotland*: And then proceeds to give an Account of the Rebellion of the ſaid King *John* and all the Eſtates of *Scotland*, and their Invaſion of *England*, and Depredations there committed contrary to their former Oaths of Homage and Fealty: And laſtly ſets forth the King's Conqueſt of *Scotland*, and the Surrender of the ſaid King *John* of his whole Right to the Kingdom, and the King's Poſſeſſion of the ſame by thoſe Titles; and that notwithſtanding their having again done Homage, and ſwore Fealty to Him, acknowledging Him for their King and Supreme Lord, they had yet ſeveral Times ſpoiled, waſted, and Invaded *England*. And ſo concludes with a Caution to the Pope, That He would pleaſe not to give Credit to the falſe Inſinuations and Suggeſtions of the *Scots*; and humbly deſires, that His Holineſs would have a Paternal Care of His Royal Rights and Dignities. This is Dated at *Kemſey*, the Seventeenth Day of May A. D. 1301.

Vid. the late Addit. to *Cambden's Britan. p.* 525.

All which plainly ſhews, that tho' this Epiſtle to the Pope be placed before that of the Barons in our Hiſtorians, yet it was written above two Months after, tho' no doubt the Subſtance of it was agree'd on in the late Parliament at *Lincoln*: But as for the Place, from whence this abovesaid Letter is ſaid to bear Date, I know none of that Name, but an Antient Seat or Mannor of the Biſhops of *Worceſter*, where before the Conqueſt, and many Ages after, they had a Place upon the *Severne*, about Three Miles from that City; but it hath been long ſince demoliſhed, ſo that the Ruins are not diſcernable. But to ſay ſomewhat further concerning this Declaration.

As for the Force of theſe Teſtimonies, or Authorities, which then ſatisfied the King and his Great Council of the Juſtice of his Claim to the Sovereignty over *Scotland*, I ſhall ſay nothing to them here, having already written ſufficiently on that Subject in my *Introduction*, to prove, that when they are duly weighed and conſidered, they do not make good the Point for which they are alledged.

[1] M. W. T. W.

* *Vid.* Dr. P's *Chron. ad hunc An.*

I find nothing elſe of Moment to have happened before the King's Expedition into *Scotland*; but [1] that He created *Edward* His Eldeſt Son Prince of *Wales* and Earl of *Cheſter*, * and not long after ſent him thither, where he received the Homages of all the Great *Freeholders* of that Principality, with which the *Welſh*-Men were very well pleaſed, he being born at *Carnarvon* in their own Country.

[2] T. W. *Chron: de Lan.*

The King makes another Expedition againſt the *Scots*, but with no very good Succeſs.

[3] *C. Abing. in Bib. Cantab.*

The late Truce with the *Scots* being ended at *Whitſontide*, [2] the King again renewed the War about Midſummer, and muſtering up his Army, [3] divided it into two ſeveral Bodies, one of which He kept himſelf, and the other He put under the Command of Prince *Edward* his Son, who with other Noblemen enter'd *Scotland* by the Weſtern Borders, whilſt the King ſtay'd ſometime at *Berwick*, and then followed the reſt of his Forces; but the *Scots* would not engage with either of theſe Armies, but fled before them as they had done formerly; only watching their Opportunity, they took ſome Plunder from the *Engliſh*; and the Military Men, who followed the King in this Expedition, loſt abundance of their Horſes, through the Scarcity of Forrage as well as the Severity of the Weather, which was ſo extream, that many of his Army likewiſe periſhed for want of Victuals; ſo that all the King got in this Expedition was the taking the ſtrong Caſtle of *Caerlaverok* after a long Seige; but the King wiſely conſidering that whatever He had gain'd in Summer

mer He ſtill loſt in the Winter, by Reaſon of His Abſence, He now reſolved to paſs that Seaſon in *Scotland*; wherefore He winter'd at *Linlithgo* and other Places, and by that means humbled the *Scots* more than ever He had done before: Yet could He do no remarkable Exploit againſt them this Winter, for the Reaſons already given.

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He therefore reſolves to Winter in *Scotland*, and renew the War next Spring.

As for Civil Affairs, I find little now done, only this Autumn He appointed his Procurators and Ambaſſadors to the Pope, *Walter* Biſhop of *Litchfield* and *Coventry*, *Amadeus* Earl of *Savoy*, *Otto de Grandiſon* Knight, *Gerard* Archdeacon of *Litchfield*, to deſire his Holineſs ſpeedily to put an end to all Differences between Him and the *French* King, and to compleat the long defer'd Treaty of Peace, according to the Form of his late Sentence or Decree, by Vertue of the Compromiſe made unto Him: But the Pope was not then at leaſure to perform it, nor could the Commiſſioners at that time go. Theſe Procuratory Letters are dated at *Glaſco* the Four and twentieth of *Auguſt*, in the Nine and twentieth Year of his Reign. But this Ambaſſy proved wholy ineffectual as you will ſee by and by under the next Year.

* *Rot. Pat.* 29. *Ed.* I. *M.* 2. *Int. & Clauſ. eod. An. M.* 2. *Dorſ.*

The King ſends Ambaſſadors to the Pope, to deſire him to finiſh the Treaty of Peace between him and the King of *France*.

Whilſt the [4] King thus wintered at *Linlithgo*, He there received Letters from the King of *France*, to deſire Him, that He would grant the *Scots* another Truce until the Feaſt of *All-Saints* next enſuing; to which Requeſt, though much againſt the King's mind, He was forced to yield, becauſe of His late Mariage with that King's Siſter: So having in Compliance to his deſires concluded a Truce with the *Scots* abovemention'd, and appointed Guardians for that part of the Kingdom which remain'd in his Poſſeſſion, He return'd into *England*.

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[4] *T. W. C. W. H.*

The King receives Letters from the *French* King, to deſire Him to grant the *Scots* another Truce; which He does.

So ſoon as He came to *Durham*, the firſt thing I find He did there, was, to renew his late Ambaſſy to the Pope. For the King finding the Earl of *Savoy* and *Otto de Grandiſon* (who had been Commiſſioned, for that purpoſe, and were beſt acquainted with the Differences between him and the King of *France*,) could not be perſuaded, though I know not for what Reaſon, to undertake that Embaſſy to the *See* of *Rome*; He therefore, by a freſh * Commiſſion, appointed only Two of the four former Ambaſſadors, *viz.* 'The Biſhop and Archdeacon of *Litchfield*, to hear and receive in his Name the Pope's Sentence or Determination, concerning thoſe things that were not already declared and determined between the two King's in Vertue of a Compromiſe made by both of them to the Pope, as a Private Perſon.

The King upon his return from *Scotland* appoints other Ambaſſadors to the Pope, upon the former Buſineſs; and the reaſon of it.

* *Rot. Clauſ.* 30. *Ed.* I. *M.* 15. *Dorſ.*

This Letter or new Commiſſion was directed to the Pope, to give Him Notice of the Refuſal of the firſt Two Commiſſioners, *viz.* the Earl and Knight; and is dated at *Darlington*, in the *Biſhoprick* of *Durham*, the Fifth of *March*, in the Thirtieth Year of *Edward* I.

Then the King return'd into the South-Parts of *England*, [5] and in *Mid-Lent* following held a Parliament or rather Great Council at *Stamford*. *Nicholas Trivet* ſuppoſes this Aſſembly to have been held at *London*; but all the reſt of our Hiſtorians ſay it was at *Stamford*; but whereever it was held, they all agree in the Tranſactions of it. The Great Men were again much diſturbed that the late *Perambulations* of the *Foreſt* had not been ſo well obſerved as they ought to have been; and [1] when ſome high and threatning Speeches were there made, the King fearing the Diſpleaſure of his Nobility, appeas'd their angry Mind's with gentle Words; and being well adviſed by his Councellors, promiſed that the above-

[5] *T. W. C. Nor.*

The K. calls a great Council at *Stamford*, where the great Men are much diſturbed, that the bounds of the Foreſts were not obſerved.

[1] *Chron. Abing. ad An.* 1301.

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abovementioned *Perambulations* ſhould be forthwith Finiſhed, Settled and Diſpatched, as indeed was done not long after.

From whence we may take notice, That notwithſtanding all the King's fair Promiſes and Orders lately made at *Lincoln*, (as has already been mentioned) they were not obſerved with that Sincerity on the King's part, as the Nobles and Commons of the Kingdom then hoped they ſhould have been; ſo it juſtified the Earls and Barons Jealouſies of the Reality of the King's Intentions. I find nothing elſe to have been tranſacted in this Aſſembly (for I cannot call it a Parliament as ſome of our Hiſtorians do, becauſe indeed it was no ſuch thing, according to the Senſe of our Times) which plainly appears by This, that there is no Summons to be found to the Commons, either on the Patent, or Parliament-Rolls of this Year.

T. W.

The King being now returned to *London*, thought fit to ſend the Earl of *Lincoln*, and the Lord *Hugh le Diſpencer*, his Ambaſſadors to the Pope. Their Buſineſs was to ſet forth the Injuries that had been done to the King and Nation by the *Scots*, and to deſire his Holineſs not to give any farther Ear to the falſe Repreſentations of thoſe Traytors and Murtherers, who had ſo much impos'd upon his Prudence. But the Pope, being ſtill prepoſſeſſed by the *Scots*, not only commanded the King not to moleſt them, but as *Polydore Virgil* relates, he alſo demanded, on the behalf of the late King *Baliol*, a full Reſtitution of all his Eſtate in *England*; which the King was by no means willing to part with.

[2] *Annal. St. Auguſt Cant. ſub hoc Anno.*

The Earl Marſhal makes King *Edward* Heir of all his Eſtate, and delivers up his Marſhal's Rod on certain Conditions.

For want of ſomewhat more conſiderable, I will here inſert a remarkable Story concerning a particular Perſon, as being the firſt that had fallen out of this kind, *viz.* [2] in *April* following, *Roger Bigot*, Earl of *Norfolk*, and Marſhal of *England*, having no Iſſue, and but One Brother, named *John*, whom he did not care for, Conſtituted King *Edward* his Heir of all his Eſtate; delivering alſo unto Him the Marſhal's Rod, upon Condition to have it render'd back to him, provided he ſhould have any Children; as likewiſe to have a thouſand Pounds from the King in preſent, and a thouſand Pounds *per Annum* during his Life.

* *Rot. Clauſ.* 30. *Ed.* I. *M.* 13. *Dorſ.*

This Relation is further Confirm'd and Illuſtrated by a * Record in the *Tower*, by which the ſaid Earl granted, and quiet claimed for himſelf and his Heirs to the King and his Heirs for ever, all his Caſtles, Mannors, Lands, and Tenements in *England* and *Wales*, with their Appurtenances, except the Mannors and Advowſons, therein expreſly mentioned; the Names of which being many, and not now material to be known, I omit. This Charter concludes with a Clauſe, That neither He nor his Heirs, nor any one in his Name, ſhould have any Right or Claim in theſe Eſtates. This Grant was dated at the Abbey of St. *Johns* in *Colcheſter*, the Twelfth of *April* in the Thirtieth of *Edward* I.

He alſo, by another Deed dated at the ſame time and Place, made a Grant to the King of all his Goods and Chattles, in, and upon thoſe Caſtles, Towns and Mannors; except ſuch as are therein excepted.

And further, by another Deed of the ſame Date, He remitted and quiet claimed, for Him and his Heirs, to the King and his Heirs for ever, all the Right, Honour and Authority He had by the Name of Earl

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Earl Marſhal in the County of *Norfolk*, and the Marſhalſea of *England*, with every thing thereunto belonging; the Reaſons of which Grants are variouſly reported by our Hiſtorians: For *Matt. Weſtminſter* (though he miſtakes the Year, placing this Tranſaction in the 33d of this King) ſays, That he now cunningly circumvented the Earl-Marſhal, by laying again to his Charge a certain Conſpiracy which the Archbiſhop of *Canterbury* and this Earl, with divers other Earls and Barons, had been engaged in, whilſt the King was in *Flanders*; which Charge the Earl not being able to gain-ſay, he humbly beg'd the King's Pardon, and for the obtaining of it, was forced to make the King Heir to all his Eſtate, and it was that that ſaved him his Life, and alſo obtained for Him a thouſand Pounds *per Annum* for the ſame Term.

[1] *Ad hunc An.* A better Account given of the Reaſon of this Action in the *Abingdon Chronicle.*

[1] But another Antient and more Credible Authority, *viz.* the * Chronicle of *Abingdon* in the *Cambridge* and *Bodleian* Libraries, gives us a truer Account of this Traſaction; the Sum of which is, That this Earl, having much exhauſted his Eſtate by his taking part with the Barons againſt the King, had borrowed a great Sum of Money from his Younger Brother *John*, a Rich dignified Clergyman, and Rector of many Churches, who now demanded ſpeedy Payment of his Brother, without giving him any time to raiſe it; which ſo extremly provoked him, that he went immediatly to the King, and made over to Him all his Honours and Eſtate, upon Condition that he ſhould reinfeof him of the ſame during Life, and ſhould alſo ſettle a Penſion of a thouſand Marks *per Annum* for the ſaid Term, together with a ſufficient Sum of Money to pay his Debts: All which Conditions being agreed to by the King, He thereupon had the Eſtate convey'd over to Him accordingly.

[2] *Cont. Hiſt.* 2d Vol. *p.* 75.

I [2] have been the more particular in this Tranſaction, to warn the Reader of Dr. *Brady*'s Miſtakes in his late Hiſtory, ſince He might (as well as I) have ſearched the Manuſcripts here cited, and not blindly have followed the ſingle Authority of *Matt. Weſtminſter*, in aſcribing this Earl's Surrendring his Honour and Eſtate to the King, to a Cauſe ſo unworthy his Generoſity, as his calling him to an Account for an Action done ſo long before, and for which he had already received his Charter of Pardon under the *Great Seal*, and that too confirm'd by an Act of Parliament.

[3] M. W. *Humphry de Bohun*, the Conſtable, makes a like Reſignation of his Eſtate to the King upon certain Conditions.

And perhaps [3] it was in imitation of the late Surrender of the Earl Marſhal, that *Humphry de Bohun*, Conſtable, and Earl of *Hereford* (Son and Heir to that *Humphry*, who with the former oppoſed King *Edward* in the Five and twentieth year of his Reign) did alſo this Year grant all his Caſtles, Towns, Mannors, Lands and Tenements, Knights-Fees, Advowſons of Religious Houſes and Churches, Hundreds, Honours, Liberties, and all their Appurtenances in *England* and *Wales*, to the King and his Heirs for ever, without Exception or Reſervation of any thing to himſelf; and all the Right, Honour and Dominion he had as Earl, in the Counties of *Hereford* and *Eſſex*, and to the Conſtableſhip of *England*. This * Grant is dated at *London* the Eighth of *October*, in the Thirtieth of *Edward* I. which Eſtates and Honour, upon his Mariage with *Elizabeth* the Seventh Daughter of this King *Edward*, and Widdow to *John* Earl of *Holland* and *Zealand*, were regranted by the King's † Charter to this Earl about two Years after.

What

* *Rot. Clauſ.* 30. *Ed.* I. *M.* 5. *Dorſ.*

† *Rot. Clauſ.* 32. *Ed.* II. *M.* 16.

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What Reaſon this young Earl had thus to convey his Eſtate and Honour to the King, I cannot find in Sir *William Dugdale's* Baronage, or any other Author.

[4] *T.W. C.Ab. Pat.* 30. *E.* I. *M.* 15.

After [4] the Feaſt of *All-Saints*, the King having ſome time before made the Lord *John de Segrave* Governor of *Berwick*, He now alſo appointed him Guardian of the Kingdom of *Scotland*, notwithſtanding his late ill Succeſs there; and ſent him thither with a conſiderable Army, and freſh Orders to proſecute the War, as ſoon as the Seaſon would permit him, as you will find by and by.

[5] *Id. M. W. Mezeray's Hiſt. ad hunc Ann.*

The *Flemings* take Arms, and drive the *French* out of *Flanders*.

And give them an entire Defeat.

I ſhall now paſs to the Affairs of *Flanders* and *France*. [5] The *Flemmings*, ſince the late Impriſonment of their Earl, having been cruelly oppreſſed with Impoſts and Taxes by their *French* Governor, *James Chaſtillion*, were now reſolved to bear it no longer; but chooſing *Guy* Earl of *Namur*, Son to their Impriſoned Earl, for their Leader, together with *William*, Son to the Count *de Juliers*, they took up Arms, and with one conſent either killed or expelled the *French* Gariſons out of all the Towns of *Flanders*; only *Courtray* remain'd in the hands of the *French*, but was beſieged by the Earl of *Namur*; upon which Revolt the King of *France* raiſed a great Army, and made *Robert* Earl of *Artois* General thereof, who preſently marched with Ten thouſand Horſe, and Forty thouſand Foot to the Releif of *Courtray*. The *Flemmings*, tho' they were ill armed, and had neither Cavalry, nor many Noblemen or Gentry of their Party, yet were not at all affrightn'd, but encamping themſelves as ſtrong as they could, expected the *French* between *Courtray* and *Bruges*, where they falling upon them, a Bloody Fight enſued, in which by a total Rout of the firſt Aggreſſors, the *Flemings* obtain'd a Compleat Victory, with the Slaughter of Twenty thouſand *Frenchmen*, together with the Earl of *Artois* their General, and above Twenty Earls and Great Lords of that Nation. This Battel was fought on the Ninth of *June*, and may ſerve as a laſting Admonition to Generals, not to deſpiſe the Weakneſs of an Enemy; as alſo to Princes, not to deal too Rigorouſly with a Conquer'd People; ſince the deſire of Liberty oftentimes produces greater Courage in the Oppreſſed, than either Emulation or the deſire of Victory can do in thoſe that had before ſubdued them.

[1] *Id. Ib.*

The King of *France* raiſes another Army againſt them, but does nothing, and for what Reaſon.

This [1] Defeat ſo much provoked the *French* King, that he was reſolved to march in Perſon againſt the *Flemings*, at the Head of an Army of a Hundred Thouſand Men, had he not been informed by his Siſter the Queen of *England*, that if he hazarded another Battel, he would be in danger of being betrayed by his own Subjects: This, and the Great Rains that fell that Autumn, made him retire to *Paris*, after he had marched as far as *Doway*.

[2] *M. W.*

King *Edward* ſends Envoys to the *French* Court, to know whether that King would continue the Truce any longer, with his Anſwer to them.

This War, though troubleſome enough to the *French*, would yet have proved much more ſo, had not King *Edward* ſtrictly obſerved the Truce lately made with his Brother of *France*; which being now almoſt expired, He [2] ſent certain Envoys to the *French* Court to receive that King's final Reſolution, and to know whether He pleaſed to have Peace or War. His Anſwer was, *That He could not conſult of ſuch Arduous Matters, but in an Aſſembly of the Twelve Peers*, who being moſt of them then abroad, on publick Affairs, were not expected back till ſome days after: But ſo ſoon as they could be Aſſembled, their Anſwer was, That they could conclude nothing concerning a Peace or Truce, unleſs their Confederates the *Scots* were preſent. Upon which, the Ambaſſadors

returned,

return'd. Then the King Summoned a Parliament at *Weſtminſter*, wherein the dilatory Anſwers of the *French* were reported, as alſo the late Victory of the *Flemings*; together with a freſh Propoſal from the former, That if the King of *England* would come over in Perſon into *France*, there would be no doubt but the Two King's would make ſuch an Agreement between them, as ſhould be grateful to both Kingdoms. But I do not find they came then to any poſitive Reſolution concerning it; but when the King had Summoned another Parliament at the Feaſt of St. *Edward*, that Propoſal was not approved of; but on the contrary, agreed by the Common Council of the Kingdom, That the King ſhould not go over at the Command or Suggeſtion of the King of *France*.

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A Propoſal that King *Edward* ſhould go over into *France*, and there agree all matters in difference.

Which is not approved of by the next Parliament.

About the beginning of this Year, the King of *France*, willing to leave the *Scots* out of the Treaty, and conclude a laſting Peace with *England* without them, King *Edward* * thereupon gave his Letters Patents or Commiſſion to *Amadeus* Earl of *Savoy*, *Henry de Lacy* Earl of *Lincoln*, and *Otto de Grandiſon*, or any Two of them, to prolong the Truce between Himſelf and the King of *France*, their Kingdoms and Subjects; and afterwards to ſettle a firm and perpetual Peace between them, their Heirs and Succeſſors, againſt all Perſons, but the Pope and Church of *Rome*. But this Commiſſion, by ſome means or other, proving ineffectual, a Second was granted to the ſame Perſons, (only the Biſhop of *Worceſter* was then added to it,) bearing Date the Second of *March*; by vertue of which, theſe Ambaſſadors, together with the Dukes of *Burgundy*, *Bretaign*, and others for the King of *France*, concluded a firm Peace between the Two Kings and their Realms, (the *Scots* being wholy left out of the Treaty;) and for the Confirmation of which, the King granted his Letters Patents, and Sealed them at St. *John's-Town*, or *Perthe*, in *Scotland*, the Tenth of *June*, *A. D.* 1303. in the Thirty firſt Year of his Reign. All the Procurations, Patents, and other things concerning this Peace, and the Articles themſelves, are in a particular [1] Roll in the *Tower*.

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* *Vid.* 3d Vol. of *Pryn's Papal Uſurp. p.* 1029.

The King appoints the Earl of *Savoy*, and others his Commiſſioners, to prolong the Truce with *France*, or to make a laſting Peace.

Who treat with thoſe of *France*, and make a firm Peace between the Two Kings, the *Scots* being excluded.

[1] *M. W.*

Upon this Treaty and Peace that followed it, all *Gaſcoigne* was entirely reſtored to King *Edward*, with all its Rights and Liberties, as He poſſeſſed it before the beginning of the War; and all Priſoners on both ſides were releaſed; and the Earl of *Lincoln* was made the King's Lieutenant there.

Upon which all *Gaſcoigne* is entirely reſtored to the King.

Not long [2] after, *William Wallys* again heading the *Scots*, took up Arms againſt King *Edward*; to oppoſe whom, in the beginning of *Lent*, the Lord *John de Segrave*, Guardian of *Scotland*, (having Winter'd at *Berwick*) reſolved to march into that Kingdom, and wholy to reduce it to the King's Obedience; but when early in the Morning they came near to *Edinburgh*, the *Engliſh* Generals divided the Army into Two Battalions, whereof the Firſt conſiſting of Three hundred Men at Arms, was Commanded by the Lord *de Segrave* himſelf, and the Second by his Brother, a very Valiant Soldier. Theſe Battalions marched about Four Miles diſtant from each other; but not being aware of an Ambuſcade that the *Scots* had laid for them in the way, they had like all of them to have fallen into it: But when diſcovered, the Lord *Segrave* was adviſed by his Officers to retreat to the next Battalion that was then coming up; but he thinking that to be a

[2] *Id.* *T. W.* *Chron. Abing. ad An.* 1302.

The *Scots* again take Arms, and the Lord *Segrave* marches againſt them.

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But is through his own raſhneſs defeated.

Diſparagement to his Valour, raſhly declined it; and ſo the *Scots* proving too hard for him, he was taken Priſoner, with about Twenty of his Men, beſides ſeveral others who were killed; and ſo the ſecond Diviſion coming up, were likewiſe routed, and *Robert le Coſter*, a moſt Valiant Officer, who then Served under the King of *England*, was killed. Whilſt this Engagement happened, Sir *Robert Nevill*, (that commanded a Third Diviſion) was at Maſs with his Men (it being the firſt Sunday in *Lent*;) but on a ſudden, hearing that the *Scots* had the better of it, and had taken the General Priſoner, He preſently made haſt to the Aſſiſtance of his Countrymen, where he behaved himſelf ſo gallantly, that he reſcued the Lord *Segrave*, and ſeveral other Priſoners, and ſo procured an honourable Retreat for Our Forces, though not without conſiderable loſs on the *Engliſh* ſide.

[3] *Chron. Cotton.* A different Account of this or a like Action from the *Cotton* Chronicle.

But the Anonimous Chronicle, ſo often Cited, gives us ſomewhat a different [3] Relation of this, or ſuch another Defeat, which happened on the firſt *Sunday* in *Lent*, at *Roſlyn* in *Lothyan*, and proceeded from the Careleſneſs and ill Diſcipline of *Ralph* the Cofferer, One of the King's Chief Commanders, and Treaſurer for *Scotland*, who ſuffered the Soldiers to ſpend the Night before the Engagement in Drinking and Roaring; and the *Scots* having intelligence of it from their Spies, fell upon the *Engliſh* by Surpriſe; by which means they marching out of their Camp in ſeveral ſmall Detachments, without any good Order or Conduct, great part of the Army was there loſt, together with their Commmander, whom my Author ſays was a Clergyman, fitter to hold a Pen than a Sword.

Though the Author of this Relation tells us the Fight happened on the ſame day with the former, yet ſince he mentions a quite different Commander, and ſince other Circumſtances are in this, which are not in the others, as alſo that the Lord *Segrave* is not at all mentioned; it makes me ſuſpect it was not the ſame Engagement with that before-mentioned, and may be alſo miſplaced in Point of Time.

[4] *T. W.* The King reſolving to march in Perſon againſt the *Scots*, Summoned his *Militia* to meet Him at *Roxburgh*; in the mean while the *Scots* beſiege the Caſtle of *Sterling*.

[5] *C. Roſ. M, W.*

And force the Gariſon to Surrender.

[4] When the King had received this Ill News, He reſolved, ſo ſoon as poſſible, to march Himſelf againſt the *Scots*, and to that end Summon'd his *Militia* by Proclamation, to meet him at *Roxburgh* on *Whitſunday* following. [5] But in the mean while, the *Scots* laid cloſe Siege to the Caſtle of *Sterling*, and being not able to take it by force, they hoped to do it by Famine: But the Gariſon managed their Store of Proviſions ſo cautiouſly, that the *Scots*, tyred out by the length of the Siege, retired. The Beſieged at laſt were reduced to great want of Proviſions, which made them ſend a Meſſenger to the King, (who was then on his March) to let Him know their ſad Condition, and to deſire ſome ſpeedy Relief. But the Meſſenger proving a Traytor, inſtead of going to the King, went over to the *Scotiſh* Commanders, and acquainted them with the true State of thoſe in the Caſtle: Whereupon the *Scotch*-Men preſently return'd to the Siege, and preſſed the Gariſon ſo hard, that within Three Days they were forced to deliver up the Place to the Lord *John de Soules*, upon Condition to have their Lives ſaved, and to be Conducted to their Lord, the King of *England*. When the *Scots* had got this Place, they new Victualled and Mann'd it with a very ſtrong Gariſon.

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[6] King *Edward*, as ſoon as He had entered *Scotland*, thinking it loſs of time then to lay Siege to *Sterling*-Caſtle, reſolved firſt to take in other Places; and He began with the ſtrong Caſtle of *Brihan*, which was Gallantly defended by *Thomas Mayle* the Governor; ſo that notwithſtanding the King battered it with great Stones, it proved to be without any effect. One Day, as the Governour was ſtanding upon the Wall, and watching where a Stone hit againſt it, in Deriſion, he wiped the Place with a Towel that was then in his hand: But ſome Days after, this Preſumption of his was ſufficiently chaſtiſed; for a Stone from an Engine hitting him on the Breaſt, he was taken up Dead; which Accident ſo confounded the *Defendants*, that they quickly ſurrendered the Caſtle to the King. And not long after, ſeizing the Abby of *Dumfermling*, He cauſed it to be Burnt, all except the Church, and ſome Cells for the Monks; becauſe there being then many large Buildings in it, the *Scots* uſed to Fortifie it, and Sallying out from thence ſpoiled the Neighbouring Country.

[6] *Id.* The King Beſieges the Caſtle of *Brihan*, but in vain.

But at laſt has it Surrendred to him, and by what Accident.

And burns the Abby of *Dumfermling*.

Upon [1] this, the King finding no Army to oppoſe Him, went by eaſie Marches through the whole Kingdom of *Scotland*, as far as *Cathneſs*; and in his return from the *North*, Beſieged *Sterling*-Caſtle, but without any Succeſs.

[1] *Id.* The King Beſieges *Sterling*-Caſtle without any Succeſs.

Then He ſpent his Winter at the Town of *Dumfermling*: But before the end of the Year, moſt of the *Scotiſh* Noblemen being no longer able to reſiſt Him, and fearing He ſhould again Winter among them as He had done before, ſent Mediators, and humbly craved his Peace and Pardon, and that they might be permitted to Compound for their Eſtates with thoſe to whom they had been given; both which the King granted. *Matt. Weſtminſter* ſays, The Great Men of *Scotland*, as well Earls as Barons, being wholy reduced and overcome, ſubmitted themſelves to the Will of the King of *England*; who admitted them to his Grace and Mercy, impoſing upon them Pecuniary Mulcts or Compoſitions, and appointing them certain Days and Years for the Payment of it. The Articles of which Agreement you will find in the beginning of the next Year.

Moſt of the *Scotiſh* Nobility at laſt Submit to the King upon certain Conditions.

France not affording us any more Affairs of Moment, we muſt be forced to look back as far as *Italy*; where you are to underſtand, [2] That the Quarrel between Pope *Boniface*, and the King of *France*, was now riſen to that heighth, that the latter having accuſed the former of *Hereſie*, *Schiſm*, *Magick*, and other Enormous Crimes, the Pope in Revenge declared him *Excommunicated* and *Deprived* of his Kingdom; which he offer'd to beſtow on any, whoſoever would Seize it: For the *French* King had juſt before ſent *Nargaret* his Lieutenant-General into *Italy*, to Seize upon the Pope's Perſon, who had then retired, and fortified himſelf in *Anagnia*: But the *French* General, joyning with the *Colonna's*, (whom the Pope had before Degraded from being *Cardinals*) together with ſome Noblemen of that Country, that were his Enemies, by their means gain'd the People of that City, [3] and ſo without any difficulty entered it: And having forced the Palace, ſeized upon the Pope's Perſon, and plundered him of all his Jewels and Treaſure to a very great value; and not only ſo, but they almoſt Starved him, thinking thereby to have forced him to reſign the Papacy; but notwithſtanding this ſevere Treatment, he was reſolute againſt it. Then Four Days after, the Citizens taking Compaſſion of his *Holineſs*, drove the *French* out

[2] *Mezeray, ad hunc An.* An Account of the great Quarrel between Pope *Boniface* and the King of *France*.

[3] *T. W.* The Pope is ſeized and plundered of all his Treaſure by the *French* General and the *Colonna's*.

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He thereupon getting to *Rome*, deceaſed ſoon after.

out of Town, and reſtored him to his Liberty: Who thereupon ſtraight retiring to *Rome*, fell Sick either of his late ill Uſage, or elſe of Vexation for his great Loſſes, and there deceaſed of a Fever the 12th day of *October*; And *Nicholas*, Cardinal of *Oſtia*, a Fryar-Preacher, was Elected in his ſtead, and took the Name of *Benedict* XI. who like a Prudent Prelate, immediately compos'd all the Quarrels of his haughty Predeceſſor with the King of *France*, and not long after Abſolved Him from the *Excommunication*, which He then lay under.

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The firſt thing I find to have been tranſacted in the beginning of this Year, is, The Conditions of Peace which the King made by certain Noblemen appointed as Commiſſioners to Treat and Agree on his behalf with the Chief of the Nobility of *Scotland*, that had been lately in Arms againſt him, but were now deputed by the reſt to make the beſt Terms they could for them and their Eſtates, as appears upon Record in the *Tower*, and here Tranſlated from the *French* Original.

The Terms given to, and accepted by, the Lord *John Comyn*, his Aydants and Aſſiſtants, were as follows:

The Articles of Peace and Agreement between King *Edward* and the *Scotiſh* Noblemen lately in Arms. Printed in *Ryley's Placitæ Parliament.* f. 369, 370.

'Theſe are the Things Agreed on with Monſieur *Richard de Burgh* Earl of *Ulſter*, Monſieur *Aymer de Valence* Seigneur *de Montignak*, Monſieur *Henry de Piercy*, Knights, and *John Benſtede*, Clerk, on the part of our Lord King *Edward*; and *John Comyn* of *Badenagh*, for himſelf and his late Aſſiſtants of *Scotland*, as well thoſe that were out of it, as within it: For the Faithful Keeping and Obſerving whereof, the ſaid Earl, the Lords *Aymer*, *Henry*, and *John de Benſtede*, in the Name of the King, and the ſaid *John Comyn*, Monſieur *Edmund*, *Comyn de Kilbride*, Monſieur *John de Graham*, Monſieur *John de Vaux*, Monſieur *Godfry de Roos*, Monſieur *John de Maxwell* the Elder, Monſieur *Peter de Prendregyſt*, Monſieur *Walter de Berkeley de Kerdaau*, Monſieur *Hugh de Erth*, Monſieur *William de Erth*, Monſieur *James de Roos*, and Monſieur *Walter de Rothevan*, Knights, for themſelves, and all their *Scots*-Aſſiſtants, who would be in the Peace and Faith of the King, were Sworn to the Articles following.

Firſt, 'It was agreed, That all manner of People of *Scotland*, who came into the Peace of the King with the ſaid *John Comyn*, (except the Perſons after named) ſhould be received to the Conditions following, *to wit*, Their Lives and Limbs or Members ſhould be ſaved: They alſo to be Free from Impriſonment, and not to be Diſherited, except for their Ranſom or Fine, and the Amends for their Faults only committed againſt the King.

Secondly, 'Thoſe under Age were to have the ſame Conditions, as to the Saving of their Lives and Limbs, and Acquittal from Impriſonment, and Diſheritance.

Thirdly, 'For their Ranſom, and all other Things, it ſhould be as the King ſhould order in his next Parliament; and the Eſtabliſhment of *Scotland* was to be as it ſhould be then and there Ordained.

Fourthly, 'All the ſtrong Holds now in the King's, or his Friend's Hands, ſhould Remain ſo, and the Charge of keeping them ſhould be Defrayed out of what belonged to the Owners, or in other convenient manner, by thoſe who had the Cuſtody of them, or to whom they were delivered.

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Fifthly, 'The Priſoners on both ſides were to be ſet Free, except Monſieur *Peter de Morham*, and his Father.

Sixthly, 'That the Hoſtages for the Payment of the Ranſoms of Priſoners on both ſides ſhould be Releaſed.

'The Perſons excepted, were *Robert* Biſhop of *Glaſcow*, Monſieur *James* the Steward of *Scotland*, *John Soules*, Monſieur *David de Graham*, Monſieur *Alexander de Lindſey*, Monſieur *Simon Fraſer*, *Thomas du Boys*, and Monſieur *William de Wallys*; concerning all whom it was agreed, That the Biſhop, as to his Body and Temporalties, the Seneſchal, or Steward, and *John Soules*, ſhould have the ſame Conditions with the Commons; (that is, Have their Lives and Limbs ſafe, be free from Impriſonment, and not Diſinherited) but yet with Two Years Baniſhment out of *Scotland*, beyond the River *Trent*: That the Steward's Caſtles ſhould be in the King's Poſſeſſion during his Exile, and he to be at the Charge of keeping them. Concerning Monſieur *David de Graham*, and Monſieur *Alexander de Lindſey*, it was agreed That they ſhould have the ſame Conditions with the former, and be Baniſhed *Scotland* for Half a Year, *David* beyond the River *Tweed*, and *Alexander* beyond *Trent*. As to Monſieur *Simon Fraſer*, and *Thomas du Boys*, it was agreed alſo, That they ſhould have the ſame Conditions, but be Baniſhed the King's Dominions for Three Years, and alſo out of the Dominions of the King of *France*, unleſs in the mean time they could find Favour. But as to *William Wallys*, he was to Submit himſelf wholy to the Mercy of the King.

Further it was agreed, 'That the Biſhops of St. *Andrews* and *Dunkeldin*, the Earl of *Boughan*, (*i. e. John Comyn*) the Seneſchal, or Steward of *Scotland*, Monſieur *John de Soules*, Monſieur *Ingelram de Humfreville*, and the other Perſons of *Scotland*, who were abroad, and the Confederates of *John Comyn*, ſhould come to the King's Peace within Fifteen Days after *Eaſter* next, every one according to his Quality, at *Dumfermling*, to do Homage, and Swear Fealty to Him.

And be it known, 'That the aforeſaid Earl of *Ulſter*, and the Lord *Aymer*, *Henry*, and *John Benſtede*, promiſed in Good Faith, to uſe their beſt Endeavours with the King, to Ratifie in all Points this Accord by his Letters Patents, ſo ſoon as *John Comyn*, and others, that ſhould come with him, had done their Homage, and Sworn Fealty in due manner. In witneſs whereof, one Part of the Indenture, which was to remain with the King, was Sealed by *John Comyn*, *Edmund Comyn*, *John de Graham*, *John de Vaux*, and Others; and the other part was Sealed by the Earl of *Vlſter*, *Aymer*, *Henry*, and *John Benſtede*: Dated at *Strathorde* the Ninth Day of *February*, in the Thirty ſecond Year of the King.

The Title of The Record is, *Forma Pacis Scotiæ in Adventu* Johannis *le* Comyn *& aliorum*, *i. e.* The Form of the Peace of *Scotland*, upon the Submiſſion of *John Comyn*, and Others.

Yet Sir *Will. Wallys* and divers other *Scots* Men refuſe to ſubmit, and hold ſeveral Places

Yet notwithſtanding theſe Capitulations, Sir *William Wallys*, and a conſiderable Party of the *Scots*, ſtill refuſed to ſubmit, and held ſeveral ſtrong Places in *Scotland* againſt King *Edward*, which obliged Him ſo ſoon as his Affairs at home would give Him leave, and that the Seaſon of the Year would permit Him, to make another Expedition againſt them;

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[4] *T. W.* *C. Abing.* The King makes another Expedition againſt the *Scots*, and renews the Siege of *Sterling*-Caſtle, tho' a long time in vain.

The King encourages his Soldiers by a ſhort Speech.

them: [4] Wherefore leaving *Dumfermling*, He went in Perſon, and renewed the Siege of *Sterling*-Caſtle, which ſtill held out, battering it with Engines, that caſt Stones of Two hundred Pounds weight, with which the Walls were ſo ſhaken, that they fell down in divers Places; yet notwithſtanding the Beſieged defended it gallantly with their warlike Engines, which killed many of the *Engliſh*; and King *Edward* Himſelf was in great danger of his life from ſeveral great Stones and Arrows that were then ſhot at Him. But at laſt a huge Breach being made in the Walls, the King commanded the Ditches to be filled up with Faggots and other Materials, in order to make a General Aſſault: And the Signal being ready to be given, the King, to encourage his Soldiers, made them a ſhort Speech; wherein He ſets forth the Juſtice of his Cauſe, and that the Earls and Barons of *Scotland*, notwithſtanding their ſo often doing Homage and Swearing Fealty to Him as their Supream Lord, yet had ſeveral times Rebelled againſt Him, and He had as often Subdued them; ſo that there being no more Places left untaken, but this Caſtle, which was held out by an inconſiderable Fellow, He hoped they would now make ſo vigorous an Aſſault, as ſhould redound to their Own and the Nation's Honour.

[5] *Ibid.* The Beſieged being afraid of a general Aſſault, offer to Surrender, upon Conditions, which the King will not admit of.

[1] *C. Ref.* *K. W.* Wherefore they at laſt yield to Mercy.

When [5] the Beſieged found they were juſt going to be Aſſaulted, and knowing there was no hope of Relief, they offer'd to Surrender the Place, upon Condition to have their Lives and Limbs preſerved: But the King would by no means conſent to it, but was reſolved they ſhould wholy ſubmit themſelves to his Mercy; but they could not be brought to that, till they found they were unable to hold out any longer; and then they accepted his Offer, and Surrender'd themſelves, together with the Caſtle, on St. *Margaret*'s Day, or the Twentieth of *July*: And then [1] they all came out of it, Bare-footed, and with Ropes about their Necks, confeſſing themſelves worthy of Death, but with Tears implored the King's Mercy; which ſo prevail'd upon his good Nature, That He gave them all their Lives, but ſent *William Olyfant* the Governour, with above a Hundred Perſons of Quality more, to divers Caſtles of *England*, there to be kept Priſoners.

[2] *Ibid.* The King having ſettled *Scotland*, leaves the Lord *Segrave* Governor there.

The [2] King having taken this Caſtle, which was the only Place left that could any ways moleſt Him, ſpent the reſt of this Summer in *Scotland* for the Settling the Affairs of that Kingdom; which when He had perform'd, and appointed Governours over the Caſtles, and other ſtrong Places, to ſecure the Peace thereof, and had made the Lord *John Segrave*, again, Guardian or Lieutenant of the whole Kingdom, He return'd into *England* a little before Winter.

[3] *Ch. Abing.* The King removes his Courts from *York* to *Weſtminſter*.

When [3] He came to *York*, He order'd his Courts of *King's Bench* and *Exchequer*, (which had been held there for near Seven Years) to be removed from thence to the Antient place at *Weſtminſter*. Then the King went to *Lincoln*, where He ſpent the greateſt part of the Winter.

[4] *Id. Ib.* The King lays a Talliage upon his Cities and Boroughs of Antient Demeſne.

I find nothing elſe the King did which was conſiderable this Year, [4] but that upon his Return out of *Scotland*, being in great want of Money, He impos'd a *Talliage* of the Sixth Penny, according to a due Valuation of their Goods, upon his *Demeſne* Cities and Boroughs.

Some of our Hiſtorians do alſo date the Writ or Commiſſion of *Trayl-Baſton* from this Year: But I rather incline to follow *Mat. Weſtminſter*, and others, who place it under the next.

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I ſhall now conclude with the [5] Deaths of ſome Perſons of great Note; as *Thomas de Corbridge*, Archbiſhop of *York*, to whom Succeeded *William de Grenfeld*, Doctor of both Laws; alſo *John de Warren*, Earl of *Surrey*, now deceaſed, who was ſucceeded by his Grand-ſon of the ſame Name: He ſome time after Married *Eleanor* the King's Grand-daughter by her Mother the Counteſs of *Barr*.

[5] *M. W.* The Deaths of ſeveral great Perſons.

[1] In *Italy*, Pope *Benedict* the Eleventh, having ſat little above a Year, deceaſed at *Peruſiam* on the Seventh of *July*; upon whoſe Death the *Cardinals*, being ſhut up in the Conclave, could not agree about the choice of a new Pope until the Year following.

[1] *Id.*

As to Foreign Affairs, the [2] King of *France* had this Year much better Succeſs over the *Flemings* than He had the laſt; for He now routed their Forces in a pitch'd Battel, wherein *William* Earl of *Juliers* was ſlain: Whereupon the Two Cities of *Liſle* and *Doway* were not long after Surrender'd to the *French*. And having now very much humbled the *Flemings*, King *Philip*, to reduce them to his own Terms, ſent to his Brother of *England*, to deſire Him to debar them from having any Commerce with *England*, as He had already done by the *Scots*.

[2] *C. N. T.* The King of *France* routs the *Flemings*.

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King *Edward* [3] kept his *Chriſtmaſs* at *Lincoln* with great Joy and Magnificence, for his late Succeſs over the *Scots*, being attended by a conſiderable number of his Earls and Barons; and I ſuppoſe it was in this Council or Parliament, That a new Writ or Commiſſion was iſſued out, which though it was only of *Oyr* and *Terminer*, yet was commonly called *Trayle-baſton*, of which Name I ſhall ſay more by and by; but the occaſion of it was this: The King and his Nobility, finding the Nation very much diſturbed by Thieves, Murtherers, and other diſturbers of the publick Peace, iſſued out this Commiſſion to ſeveral Juſtices appointed in each County for that purpoſe, who were to enquire concerning all Felonies, Breaches of the Peace, and other Offences; as alſo againſt *Intruders* into other Folk's Lands, who for fear were forced to convey them to the *Intruders*; as alſo againſt thoſe, that were hired to beat Men, and would afterwards for a double Reward Cudgel thoſe that had hired them.

[3] *M. W. Chron. Abing.* The King holds a great Council; wherein He iſſued out the Commiſſion of *Trayle-Baſton*. The Original of that Commiſſion.

But to ſpeak of this Writ. Theſe [4] Commiſſioners or Juſtices were to proceed according to their Commiſſion; by which they were appointed to enquire, by a Jury of Twelve Knights and other Lawful Men of the County, concerning the ſaid Offences; who were to return their particular Inquiſitions, with all their Proceedings, under their Seals, to the ſaid Juſtices: By Vertue of which, many Felons and other Offenders were taken; ſome of whom were hanged, and others fined, according to the nature of the Offence; by which means the Kingdom was not only clear'd of Offenders, but the King, by the many Fines and Forfeitures of Offenders, very much encreas'd his Revenues.

[4] *Chron. Ab.* The manner how the Commiſſioners were to proceed.

But this way of Proceeding being looked upon as too quick and ſevere, it was in the Reign of *Edward* the *Third* quite laid aſide, and is now grown ſo obſolete, that it is ſcarce known from whence the Word *Trayle-baſton* (which Signifies in old *French*, *draw the Staff*) is derived; but though it is commonly attributed to the Speedineſs of the Proceſs, which was diſpatched almoſt in as little time as a Man could draw, or let fall a Staff, yet this Signification ſeems forced; and I rather Incline to the Authority of the *Eveſham* Chronicle in the

The Original of the Word *Trayle-Baſton*, from a Manuſcript Chronicle.

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Bodleian Library, which derives it from a certain Inſtrument, antiently belonging to a Shoemaker, wherewith they uſed to beat their Apprentices, called a *Trayle-baſton,* (but is now out of Uſe) and of which the Author ſays, That the King in his Return out of *Scotland* was told this Story, concerning thoſe who then made it a Trade to take Money to beat other Men. That a certain Wicked Perſon, having hired ſome of thoſe Ruffians to beat another Man, whom he durſt not meddle with himſelf, they met with him, and cudgel'd him very ſeverely; but he happening to know One of them, found out who it was that had hired them; whereupon deſiring them to ſpare him, he promiſed them, if they would beſtow as many more Blows on him that ſet them on Work, he would reward them double, which they agreed to: So, in their Return, they met with the Man that firſt employ'd them, who asking them, Whither they had done as he had order'd them? they anſwered Yes, and that they were to receive as much more for the like Buſineſs; ſo One of them being a *Shoemaker*, crying out *Trayle-baſton*, they all fell upon him, and cudgel'd him twice as much as they did the other. At which Story the King at firſt ſmiling, was reſolved to ſecure his People for the future from ſuch Malefactors; and therefore He appointed certain Officers on purpoſe to Puniſh them, who were ever after called *Commiſſioners* of *Trayle-baſton.*

The Subſtance of the Writ, whereby theſe Commiſſioners acted.

I ſhall here, from the above-cited Chronicle of *Abingdon*, give you the Subſtance of the Writ, by which theſe Commiſſioners acted; and it is directed to Two Gentlemen of *Yorkſhire* therein named, and firſt recites, ‘That whereas very many Malefactors and Diſturbers of the Peace wander about, committing Murthers, Robberies, and burning of Houſes, with other Villanies both by day and night in the ſaid County, to the great Danger of the Inhabitants, as alſo of thoſe that paſs through the ſame; from which worſe Events may eaſily happen, unleſs ſome ſpeedy Remedy be appointed for the ſame; wherefore the King, being reſolved to prevent their Malice and Wickedneſs, had appointed thoſe Perſons named in the ſame Writ, to enquire by the Oaths of certain Lawful Men of the ſame County, concerning ſuch Malefactors, their Receivers and Partakers; as alſo concerning thoſe who have made any Bargain with them, for Gifts, or Rewards, to beat, wound, or evil intreat, or kill any Perſons, at Fairs, Markets, or other Places; as alſo concerning thoſe, who being ſworn in Inquiſitions at Aſſizes, have for Fear of them forborn to Indict or give their Verdicts againſt Malefactors; and to enquire of thoſe that have given them any Gifts, and how much and what they are; and who have received, as alſo who any ways favour or maintain ſuch Malefactors; and that they cauſe them to be arreſted and committed to Priſon by the Sheriff of the ſaid County: And then commands them to cauſe ſtrict Inquiſitions to be made at certain Times and Places, to be by them appointed, concerning all Miſdemeanors; and, if occaſion be, to Raiſe the *Poſſe Commitatus*, to Seiſe ſuch Malefactors that ſhall be thus Preſented and Indicted, and Commit them to Priſon; and alſo by the Sheriff to ſeiſe the Goods and Chattels of all ſuch as ſhall flee after their Indictment, and keep them for the King's uſe: Then gives a Power to the Sheriffs, That at certain Days and Places, to be appointed by the ſaid Commiſſioners, they cauſe as many Knights, or others as they ſhall think fit to be return'd, to enquire concerning

‘ ing the Premiſſes, and that they cauſe all ſuch as they ſhall find
‘ Guilty by ſuch Inquiſitions, to be arreſted and kept in Priſon as
‘ aforeſaid, without delay; and that the ſaid Sheriff and whole Body
‘ of the County be aſſiſting to the ſaid Commiſſioners, whenever
‘ there is occaſion on the Behalf of the King. *In cujus rei Teſti-*
‘ *monium*, &c.

There alſo follow in *French* certain Articles for the ſaid Commiſſioners to enquire upon. The Firſt is, concerning thoſe, who having got into Poſſeſſion of the Lands of other Men, and cannot maintain the ſaid Force againſt the Right Owners by Law, deliver the ſaid Lands or Tenements into the hands of Great Lords, to be by them maintained in the ſaid firſt Wrong: The reſt of them being to the ſame purpoſe, as thoſe contain'd in the Commiſſion it ſelf, I omit.

The Articles upon which they were to enquire.

* By Vertue of theſe Commiſſions, the Commiſſioners of *Trayle-baſton*, conſtantly ſitting in all Counties of *England*, and many Perſons being found Guilty by the Inquiſitions of Lawful Men, they were return'd under their Seals to the ſaid Commiſſioners; and ſeveral being thereupon Indicted, and found Guilty, were taken and executed: Inſomuch that divers others fearing the like Treatment, left their Houſes and Farms, and fled into *Scotland*, and there joining with the King's Enemies, did a great deal of miſchief to the *Engliſh*, by the Inrodes they made in thoſe Parts.

* *Id. Ib.*

So ſoon as the King return'd to *London*, He there held a † Parliament in *Lent*; at which, on the Five and twentieth Day of *March*, [2] He enjoyn'd the Biſhop of *Glaſco*, *Robert Bruce* (Earl of *Caric*) afterwards King of the *Scots*, and *John de Mowbray*, (being the Chief of the *Scotiſh* Nobility, who had been concern'd in the late Wars againſt the King) That they ſhould treat among themſelves, and agree upon a Day and Place, for a Parliament to be called, to conſult about the State of the Kingdom and People of *Scotland*, and who are fitteſt to be entruſted with the Government thereof; as alſo concerning the Number and Quality of the *Scotiſh* Nobility that ſhould come to it.

† *Rot. Clauſ* 33 *Ed.* I. *M.* 3. *Dorſ.* *Vid.* Ryley's *Placit Parliament*, 243, 244.

[2] The King holds a Parliament, and adviſes with the *Scotiſh* Nobility, when and how to hold a Parliament for *Scotland*.

Their * Advice and Anſwer to theſe Articles were return'd to the King the day following, to this effect, That a Parliament could not well be Aſſembled in *Scotland* before *Midſummer*, the Place to be where the King pleaſed; That as to the Perſons, Two Biſhops, Two Abbots, Two Earls, Two Barons, and Two for the Commons, were a ſufficient number, if the King thought fit; and concerning the Perſons that were to take care of the Kingdom, they thought the preſent Guardians and King's Miniſters, with the *Community* of the Kingdom, were ſufficient for that Purpoſe. Which Things being read before the King and Council on the Six and twentieth of *March*, He thereupon willed and granted, That the day of the Parliament's Meeting ſhould be Three Weeks after *Midſummer*, and that it ſhould be at *London*, and that Ten, who ſhould be choſen by the whole Community, might come to the Parliament at *London*, for the whole Community of *Scotland*, and that the Cuſtody of the Nation ſhould be as they had ſaid.

* *Ibidem.* Their Anſwer to the King's Demands.

Theſe alſo [3] Petitioned the King, that thoſe who ſhould be elected to come to this Parliament, for the ſaid *Community*, might have their Charges and Expences born by them. And his Anſwer was, That He

[3] *Vid. Pryn's Regſt.* of Parliament Writs, *p.* 22, 23.

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would order that thoſe Ten, who ſhould be choſen to come to the Parliament for the whole Community of *Scotland*, ſhould have their Expences paid them by the ſaid Community, &c.

[4] *Vid* Ryleys *Append. ad Placit Parli. p.* 503 508. Printed alſo in *Pryn*'s 3d Vol. 1053. & *Dein ad* 1056.

* *Clauſ.* 33. *E.* I. *M.* 13. *Dorſ.*

Ten Commiſſioners are choſen to repreſent all the Eſtates of *Scotland*, in a great Council of *England*.

* Their Names being now of no Uſe are omitted, but the Reader if he pleaſes may find them in the Roll and in Print.

Theſe ſettle all things relating to the Government of *Scotland*.

However this [4] Parliament (as appears by the ſame * Record) was Prorogued from Three Weeks after the Feaſt of St. *John Baptiſt*, to the Feaſt of the Aſſumption of the Virgin *Mary*, or Fifteenth of *September*; at which time and Place abovementioned came the *Scots* Commiſſioners, who were there choſen by the Commonalty of *Scotland*, viz. the Biſhops of St. *Andrews* and *Dankeldin*, the Abbots of *Cowper* and *Menros*, the Earl of *Boughan*, Monſieur *John de Mowbray*, Monſieur *Robert de Keth*, Monſieur *Adam de Gourdon*, Monſieur *John de Inchemartin*; but Earl *Patrick*, who was choſen by the Commonalty to be the Tenth, came not; and therefore by Command of the King, Monſieur *John de Monteith* was aſſigned in his ſtead. Theſe, with Twenty *Engliſh* Biſhops, Abbots, Earls and Barons, who were all ſworn by the King's Command, treated about the Eſtabliſhment of *Scotland*, and appointed the King's Lieutenant or Guardian, the * Chancellor, Chamberlain, Judges and Sheriffs of the ſame, all by Name, as well of thoſe that were born in *Scotland* as of the *Engliſh*: They likewiſe ſettled the Coroners, Conſtables of Caſtles, and alſo ordered all things concerning the Laws and Uſages of *Scotland*, and the Peace and Diſturbers thereof, as alſo concerning the Government. The Title to this Great Record, is, *The Ordinance made by the King for the Eſtabliſhment of* Scotland; which being very long, and now obſolete, I have here only given you the Subſtance of it.

[5] *In Bib. Cotton.*

This Record is further confirmed by a Manuſcript Chronicle, which ſets forth the whole Proceedings of the Council.

[5] The Manuſcript Chronicle of *Rocheſter* (from whom *Matt. Weſtminſter* hath Word for Word tranſcribed the Relation of this Affair, as he has done many other things) may ſerve to explain and confirm this Record; for it relates, That on the Octaves of St. *Mary*'s *Nativity* (or Sixteenth of *September*) there was a great Council aſſembled at the *New-Temple* in *London*, conſiſting of ſome of the Nobility of *England* and *Scotland*, at which were preſent the Biſhop of *Cheſter*, with the Biſhops of St. *Andrews* and *Glaſco*, and Four Earls, Two for each Nation, beſides many Barons of the ſame; all theſe conſulted for about Twenty Days what was beſt to be done to ſettle the Peace of *Scotland* for all future times; and then theſe *Scotiſh* Commiſſioners (who were ſent hither by the Community of the whole Kingdom) together with certain of the *Engliſh* Biſhops and Noblemen, agreed, that certain Juſtices ſhould be appointed by Two and Two, who ſhould in their particular Provinces preſerve the Peace of the Country, decide Differences, and prevent Quarrels: All which being concluded on, the ſaid Commiſſioners came before the King, and there read the Ordinance they had now made, which He approv'd of, and confirm'd. Then all the *Scotiſh* Biſhops, Earls and Barons there preſent, ſwore on the Holy Goſpels for themſelves and their Heirs, as alſo for the whole People of *Scotland*, preſent and to come, That all Men, of what Rank and Condition ſoeve, ſhould for the future faithfully obſerve the ſaid Ordinance.

* Now called *Richmond.*

The King upon this Settlement expreſſes great Clemency to the *Scotiſh* Nobility.

Theſe things were tranſacted at the Mannor of * *Sheen*, upon *Thames*; at which the King was ſo highly ſatisfied, in hopes of a firm and laſting Peace, that He farther expreſſed his Clemency to the *Scotiſh* Nobility and Gentry, who had rebelled againſt Him, and for their Offences

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ſences were to pay the full value of their Eſtates in Two, Three, or Four Years (according as their Fines had been ſet) each of them ſhould have their times of Payment enlarged to as long again, wherein they were to pay their Compoſitions, each Man's Eſtate and Condition conſidered; ſo that in the mean time he might have whereof to live according to his Degree and Quality. Then the *Scotiſh* Commiſſioners abovementioned, having taken their leaves of the King, return'd Home with great appearance of Joy and Satisfaction.

And King *Edward*, not long after, did by his Letters Patents confirm theſe Articles (here mentioned by our Hiſtorian) as appears by the enſuing Charter, Tranſlated from the *French* Original in * *Ryley's Placita Parliamentaria.*

* *p.* 366.

The Form of the King's Charter of Pardon to the *Scots* Noblemen, who had been in Arms againſt him.

EDward, *by the Grace of God, King of* England, *Lord of* Ireland, *and Duke of* Aquitain, *to all that ſhall ſee or hear theſe Letters, Greeting. For the perpetual Memory of the things under-written, We let you underſtand, That the People of* Scotland, *after they were in Our Homage and Ligeance, and bound to Us by Oath of Fealty, and by their Charters or Writings, as ſtrongly as We and Our Council knew how to order and direct, by evil Councel aroſe and made War againſt Us; committing Robberies, Burnings, Murthers, Felonies, and many other Evils and Miſchiefs, according to their Power, in Our ſaid Land of* Scotland, *and alſo in part of* England, *contrary to their Homages, Fealties and Liegances aforeſaid; and afterwards many of them return'd to Our Faith and Obedience, and were received to Our Peace and Favour: And at laſt* John Comyn *Lord of* Badenagh, *and the Others of his Party, came alſo, and were received to our Peace and Faith, ſo as for their Ranſoms and Amends for their Treſpaſſes and Outrages againſt Us, and for the Eſtabliſhment of* Scotland, *they ſhould be at our Ordinance and Pleaſure. Notwithſtanding theſe Contempts, Treſpaſſes, Outrages, and Diſobediences of the People of* Scotland *towards Us, have been ſo great and heavy, as there cannot ſufficient Amends and due Satisfaction be made for them at any time; and though We cannot ſuffer ſuch Crimes to paſs without ſome Puniſhment: Yet ſeeing thoſe People have behaved themſelves well and loyally ſince Our laſt being in thoſe Parts, and for the Hopes We have of their good Behaviour, and Service for the Future, being willing to do them ſpecial Grace, We have Granted, and do hereby Grant, That their Lives and Limbs ſhall be ſafe, and that they ſhall be free from Impriſonment, and not be diſinherited:* Saving *to Us always the Lands, Tenements and Lordſhips, the Demeſnes and Appurtenances of the Royalty of* Scotland, *(which* John Baliol, *late King thereof, gave away and alienated,) to do Our Pleaſure with them. And We alſo do hereby Pardon and Releaſe to the People aforeſaid, that have ſubmitted and received our Peace and our Faith, the Crimes committed againſt Us, the Anger, Rancour, and all manner of Ill-Will We any ways had againſt them; ſo as they ſhall be bound to pay what is ordered by Us and Our Council, according to Our Decree and Determination, which follow in this Form.*

The ſeveral Fines or Compoſitions that thoſe Noblemen were to Pay for their Eſtates.

Firſt, *We Order and Decree, That* John Comyn, *and the Others with him, who came in to Our Peace and Faith upon the Covenants granted them, ſhall, to make Amends for the Crimes by them Committed, pay three Years value of their Lands and Rents, toward the Building of new Caſtles in* Scotland, *for Security of the Nation and preſerving the Peace, or to other uſes as We ſhall think fit: And We farther Pardon the ſaid* John Comyn, *and* David Graham

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their Exiles, and remaining out of Scotland, *according to the Covenants aforeſaid.*

Further *'tis ordained by Us and our Council, That the People of* Scotland, *who ſubmitted to Us before* John de Baliol, *ſhall Pay only the Rents of Two Years of their Lands; except thoſe that can ſhew themſelves acquitted by Our ſpecial Grant or Deed.*

The ſame Order was made concerning *Adam de Gourdon*, and *Simon de Fraſer*, Knights, and therefore the Decree concerning them need not be repeated.

Further, We Decree and Determine, That the Biſhops, Abbots, Priors, and the Clergy of the Kingdom of Scotland, *except the Biſhop of* Glaſco, *ſhall Pay as their Ranſom, and for their Crimes, the value of their Rents and Lands for one Year; except thoſe that can ſhew by ſpecial Deed, or other Manner, that they ought to be Diſcharged.*

The Biſhop of *Glaſco* was to be diſcharged upon the ſame Terms with *John Comyn* in all Reſpects; as alſo to his Baniſhment, which was remitted.

Further, That Ingelram de Umfrevil, *becauſe he made his Submiſſion but a little while before theſe Letters were granted, ſhould pay Five Years Value, &c. And that* William de Baliol, *and* John Wychard, *ſhould Pay for the ſame Reaſon Four Years Rent.*

Further, That Hugh de Adroſſan, John de Gourley, John de Naper, *and* John de Makilgoigny, *who were of the Retinue of the ſaid* William, Ingelram *and* John, *ſhould Pay Three Years Value.*

Further, for the time and manner of Payment of theſe Compoſitions or Fines, the King's Lieutenant and Chamberlain of Scotland *ſhould make a reaſonable and juſt Extent of the Lands of the Offenders, according to the preſent Value of the Lands; and according to that Extent the Compoſition or Fine was to be levied and paid every Year, at the uſual time of Payment, half the Value; and ſo from Year to Year till the whole was paid: And other half of their Lands and Rents ſhould remain to them for their Support and Maintenance.*

And 'tis to be known, That Our Will *is not, that this Determination ſhould extend to, and be underſtood of ſuch Perſons of the* Scots *as were Priſoners upon this occaſion; nor of ſuch as have not ſubmitted to Our Peace or Faith. In Witneſs whereof we have cauſed theſe our Letters Patents to be ſealed at* Weſtminſter *the 15th of* October, *in the 33d Year of Our Reign.*

The Title of this Patent is, Forma pacis Scotiæ, *The Form of the Peace of* Scotland.

[4] *M. W.* The *Scotiſh* Clergy though all Sworn to this Ordinance yet did not obſerve it, and why.

This is the Effect of the Articles concluded on in the Great Council abovementioned, conſiſting of all the *Engliſh* Nobility, and the Deputies of thoſe from *Scotland*, [4] which ſat Twenty Days, and in that time drew up and agreed on the abovementioned Ordinance; for the perpetual obſervation of which, all the Biſhops, Abbots, Earls and Barons of *Scotland*, preſently after took a Solemn Oath, though it proved to no great purpoſe, ſince moſt of them not long after, caſting off their Allegiance to King *Edward*, fell into a freſh Rebellion, and ſet up a King of their own, as you will find anon; ſo impoſſible a thing it is for a Foreign Prince totally to ſubdue a Free and Warlike Nation, as long as their Nobility and Gentry keep their Eſtates (as now they did) and were ſo far from thinking it an Obligation to enjoy them upon the Terms agreed on by the abovementioned Articles; that looking upon that as too great an Impoſition, they choſe rather

ther to take up Arms, than quietly to pay it. But to return to the Affairs of *Scotland*.

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Sir *William Wallys* Taken and Execu:ed.

Sir *William Wallys* (the *Scots* late Champion) was not ſo much as mentioned in this Agreement; and which, as it may be ſuppoſed, he would never have accepted of, ſince he looked upon himſelf as irreconcileable to King *Edward* and the *Engliſh* Intereſt: But the Reaſon why he was not at all mention'd, is, That about the middle of *Auguſt* preceding, He had been taken Priſoner by ſome of King *Edward*'s Officers in *Scotland*, [5] being betray'd by one Sir *John Menteth*, his ſeemingly familiar Friend, and [1] being ſent up to *London*, was there Tryed and Condemned by certain Noblemen appointed for that purpoſe, to be Hang'd, Drawn and Quarter'd, his Bowels and Privities being firſt cut out whilſt He was yet alive; all which was executed upon him with the utmoſt ſeverity; his Head was fixed upon *London*-Bridge, but his Four Quarters were ſent into *Scotland*, and placed over the Gates of as many of the Principal Cities of that Kingdom. This was the end of that great Champion of the *Scotiſh* Nation, and who is celebrated even to this day in their Songs, Poems and Hiſtories; but as he may be commended for his Valour, ſo his Memory is highly odious to the *Engliſh* for his barbarous Cruelty, ſince all our *Engliſh* Writers (among other remarkable Inſtances thereof) relate, That beſides the Killing of Infants Sucking at their Mothers Breaſts, and Burning to Death a great Number of *Engliſh* Boys in Schools and Churches, he alſo forced many *Engliſh* Men and Women, whom He had taken Priſoners and ſtripped ſtark naked, to Dance and Sing before Him, whilſt certain Tormentors that guarded them, pricked them forward with ſharp Pikes, to make them march which way they had a Mind to.

[5] *T. W. Buch. L. 9.*

[1] *M. W.*

The King calls the Archbiſhop of *Canterbury* to Account for what he had formerly acted againſt him.

I ſhall conclude this Year with ſome Eccleſiaſtical Affairs, concerning the King's ſevere Proceeding about this time with *Robert* Archbiſhop of *Canterbury*, whom, his Affairs being now ſettled, He thought fit to queſtion for eſpouſing the Party of the Diſcontented Nobility againſt Him, both before and after his going into *Flanders*; beſides which, the King laid Hainous Crimes to his Charge; as, That [2] he ſhould have entred into a Confederacy to Dethrone Him, and ſet up his Son Prince *Edward*; which though my Author makes him to have confeſſed, yet it is not at all probable he ſhould do it, there being no direct Proof againſt him; and that thereupon being ſeverely rebuked by the King he fell down at his Feet, and humbly begged his Pardon, *calling the King his Lord*, which he never did before in Speech or Writing. *Thus* (ſaid He) *this Proud Prelate hated of both God and Men, who with his Pride had Blackened the Prieſthood and Clergy of* England, *and exerciſed an unheard of Tyranny over the People, now taken by the King in his own Wickedneſs, conſcious of it, and affright'ned with the Fear of Puniſhment, as he lay proſtrate before the King, committed himſelf and his Goods to his Mercy.*

[2] *Will. Thorne. Script. Col.* 2004.

This is *William Thorne*'s Account of this Tranſaction between the King and the Archbiſhop, againſt whom he having a particular Pique, upon the Account of [3] his having invaded certain Rights and Priviledges belonging to the Abby of St. *Auguſtin Canterbury*, between whoſe Abbot and this Archbiſhop there had been long and frequent Diſputes about them: therefore this Writer (though cited by Dr. *Brady*) may be very well looked upon as too much prejudiced

againſt

[3] *Ib. Col.* 2003.

Why *William Thorne's* Account is not much to be credited concerning the Archbiſhop.

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againſt the Archbiſhop; who though he had behaved himſelf too haughtily againſt the King, yet that he was Guilty of any ſuch Deſign againſt Him, could never be proved; for had it been ſo, He would certainly have taken a more ſevere Courſe (if not with the Archbiſhop) yet at leaſt with the reſt of the Noblemen who had been found to have a hand in it.

* *Rot. Rom.* 34 *Ed.* I. *M.* 10. The King complains of him to the Pope; upon which he is ſuſpended *ab Officio*, &c.

Yet thus much is certain (ſince it appears upon * Record) That not long after the King ſent a large Complaint againſt him to the Pope, and Proſecuted him in his Court for diſturbing the Peace of the Kingdom, and cauſing often Commotions in it, defending and encouraging Rebels, and intending to Diſinherit Him: For which Crimes, at the Inſtance of the King, he was Cited by the Pope to his Court; and was there ſuſpended from the Execution of his Office, until he ſhould purge himſelf of what was objected to him by the King.

† *Ib. M.* 5. *N.* 9. Upon which the Pope deputes certain Perſons to execute his Archiepiſcopal Offices, and receive the Rents.

Upon this Suſpenſion, † the Pope deputed certain Perſons to Adminiſter the Spiritualities and Temporalities of the Archbiſhoprick, and receive the Profits to his Uſe. As to the laſt the King wrote to him, it was to the manifeſt prejudice of his Crown and Dignity, and therefore He had cauſed them to be Seized, as He might Lawfully, and was bound to do by his Royal Right, and according to the Cuſtom of the Kingdom; yet though the Profits of the Temporalities belonged to the Crown during the Suſpenſion, for the particular Affection He had to his Perſon, He was willing and granted, That the Guardian thereof ſhould Pay them to ſuch as he ſhould aſſign to receive them.

But though the Archbiſhop went not long after to *Rome*, where he remain'd in Diſgrace, and under Suſpenſion during the ſhort Remainder of this King's Reign; yet in the beginning of the next, he was, by the Pope's Interceſſion, not only reſtor'd to the Temporalities of his Arch-biſhoprick, together with his Perſonal Eſtate, which had been ſeized into the King's hands, but was alſo re-inſtated in his former Favour at Court, as you will find hereafter, when we come to that Reign.

[4] *T. W. Mezeray ad hunc An.* The Death of *Benedict*, and the Election of *Clement* the 5th.

I ſhall conclude this Year with ſome Eccleſiaſtical Affairs abroad. Pope *Benedict* XI. Deceaſing in *Italy* in the beginning of *July* laſt Year, having enjoy'd the Papacy not full Eight Months, after his Deceaſe the Cardinals being ſhut up in the Conclave, continued ſo for near Eleven Months more, until at laſt the *Italian* Cardinals, averſe to the *French* Intereſt, agreed to elect *Berteran de Got*, Archbiſhop of *Bourdeaux*, a *Gaſcoigner*, and a Subject to the King of *England*, which happened very much for his Advantage. This Pope took the Name of *Clement* V. and was ſo far from going into *Italy*, as the Cardinals that had choſen Him deſired, that He forthwith Commanded them to *Lyons*, to aſſiſt at his Coronation, which was there perform'd on the 14th of *November* with great Pomp: The King of *France* attending upon Him in Perſon, led the Reins of his Mule's Bridle for a few Paces, and then left that Office to be perform'd by his Brother *Charles* Duke of *Anjou*, and the old Duke of *Bretaigne*, but with very ill Succeſs; for as they marched thus in Proceſſion from the Church where the Pope had been Crown'd, toward the Palace to Dinner, it happened that an old Wall, overcharged with People, that were got upon it, fell down juſt as the Pope paſſed by, and thereby overwhelmed the Duke of *Bretaigne*, and preſſed him to Death, and killed Two or Three other Perſons of Great Quality that walked by his ſide; but the Duke of *Anjou* eſcaped, though grievouſly Bruiſed: I do not find the Pope Himſelf had any Perſonal hurt, only his Triple Crown was beaten from his Head, and his Preſervation was accounted little leſs than a Miracle, though this was looked upon as a very ill Omen, and ſeem'd to portend the great Schiſms and miſchiefs that happened to the *Roman* See, by this Pope's tranſlating it from *Rome* to *Avignon*.

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The Pope Eſcapes a great danger by the fall of an old Wall.

So ſoon as King *Edward* had Intelligence of the new Pope's Succeſſion to the Pontifical Throne, [5] He forthwith diſpatched the Biſhops of *Litchfield* and *Worceſter*, with the Earl of *Lincoln*, as his Ambaſſadors, to Congratulate Him; and alſo preſented his Holineſs with a Noble Service of Plate, both for his Chamber and Table, all of beaten Gold; which ſo wrought upon his Holineſs's Affection, that in return, He granted the King a *Tenth* out of all Eccleſiaſtical Benefices in *England* for Two Years, towards the Relief of the *Holy-Land*, though it was diverted by the King for his own private Occaſions.

[5] *M. W.*

The King ſends Ambaſſadors to the Pope, with a Noble Preſent of Gold Plate.

This Pope alſo, remembring that Charity begins at home, firſt of all reſerved to Himſelf the Firſt-fruits of all Eccleſiaſtical Benefices in *England*, as well Biſhopricks as others; which continued down to the Reign of King *Henry* the *Eighth*, who firſt annexed them to the Crown, as they remain at this day: But He was induced to this (as my Author ſays) through the Covetouſneſs of the *Engliſh* Biſhops, who were content to ſubmit to this Innovation, upon Condition that they might enjoy the Profits of all vacant Benefices that were in their Giſt for the ſpace of One Year next enſuing.

But before I quit [1] this Subject, I muſt take notice, That One of the firſt things this new Pope did after his Acceſſion to the Throne, was, That He ordain'd that Warlike Ambitious Prelate, *Anthony Beke*, Biſhop of *Durham*, Patriarch of *Jeruſalem*, with a Diſpenſation for him to reſide there; ſo that this was a meer Titular Dignity, for which he paid the Pope (who then wanted Money) a round Sum: But though our Authors ſay, That his Holineſs thus advanced him for his Magnificence and Spirit, it was rather from his extream Pride, becauſe as a Patriarch, he would carry his Croſs before the Archbiſhops of *Canterbury* and *York*, as he did upon his Return home, to the great Mortification of both thoſe Prelates.

[1] *M. W. T. W.*

The Pope ordains *Anthony* Biſhop of *Durham*. Patriarch of *Jeruſalem*.

This Year begins with a moſt dangerous Inſurrection of the *Scots*; [2] which was begun and headed by *Robert Bruce* Earl of *Carick*, Son to him of the ſame Name, who formerly pretended to the Crown of *Scotland*; but what the Father had done openly, the Son now privately deſign'd and carried on: Of which Plot (as the [3] *Scotiſh* Hiſtorians relate) King *Edward* having had ſome notice, charged him with it; but he boldly denying it, and there being no direct Proof againſt him, he had time to make his Eſcape; for an *Engliſh* Peer (moſt likely the Earl of *Gloceſter* his Brother-in-Law) ſent him privately Twelve Sterling Pence, and a Pair of *Spurs*, which he interpreting to be a Symbole of ſpeedy Flight, preſently left *London*; and having had his Horſes ſhod backward to avoid being followed, he rode from thence into *Scotland*, where, ſo ſoon as he arrived, he reſolved to take upon him the Title of King; and knowing there was none ſo able to hinder him

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[2] *M. W.*

The great Inſurrection of the *Scots*, under *Robert Bruce*.

[3] *Boeth. Buchan.*

With a Relation of the whole Deſign, and his Eſcape.

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[4] *T. W. Ch. Ab.*

He meets the Lord *Comyn* at *Dunfreis*, whom refuſing to join with him, he Murthers in the Church; and then takes the Caſtle, and makes the King's Juſtices Priſoners.

from it, or promote him to it, as [4] *John Comyn* Lord of *Badenagh*, being One of the moſt potent Men of that Kingdom, he immediately charged his Two Brothers, *Thomas* and *Neele*, to deſire a Meeting with him in the *Cloyſter* of the Franciſcan-Friers at *Dunfreis*; where, upon Conference, the Lord *Comyn* refuſing to join with him in the Deſign to make him King, he in Revenge Stabbed him with his Dagger: Then *Comyn* finding himſelf wounded, immediately fled out of the Cloiſter into the Church for Sanctuary; but One of the *Bruce*'s Brothers, and others of his Retinue, fearing he ſhould recover, followed him thither, and murthered him on the Eleventh of *February*, at the very Altar. When *Robert Bruce* and his Accomplices had thus killed the Lord *Comyn*, he preſently mounted the Horſe of the Party ſlain, and went with his Confederates to the Caſtle of *Dunfreis*, where the King's Juſtices were then Siting, with a few *Engliſh* attending them, and ſurprizing them on the ſudden, they ſurrender'd themſelves to his Mercy, to whom He gave his Safe-Conduct to carry them out of the Kingdom.

[5] *Lib. 9. H. Boeth. L. 14.*

The Account the *Scotiſh* Hiſtorians give of this Buſineſs.

But ſince [5] *Buchanan*, and the reſt of the *Scotiſh* Hiſtorians, differ very much from ours in their Relation of this Action, Varniſhing it over with a much better Colour, than (I doubt) it deſerves, I ſhall therefore give you their Account of it. Firſt of all, they ſuppoſe that King *Edward* had not long before (to keep them firm to his Party) ſometimes made *Bruce*, and ſometimes *Comyn* believe, That He would make them Kings of *Scotland*, having each of them a Pretence to it; but when they found themſelves at laſt both deluded by the King, they entered into a joint Confederacy, and *Comyn* yielded up his Right to the Kingdom unto *Bruce*, upon Condition, That ſo ſoon as he ſhould be made King, the other ſhould have all *Bruce*'s private Patrimony made over to him, which was very great. This Agreement was Signed and Sealed by both Parties, and not long after, *Bruce* went into *England*, to Speak with the King about ſome particular Matters; but ſo ſoon as he was gone, *Comyn*, to ingratiate himſelf with King *Edward*, and thereby to obtain the Kingdom for himſelf, diſcover'd the whole Conſpiracy, and at the ſame time ſent him the Agreement under his Seal: When the King had received this Notice, and had full Confirmation of it, He openly taxed *Bruce* with it, and appointed him a Day for his Trial; yet however he only took his Parole of Honour, that he would not depart from Court, and did not Impriſon him, until he had alſo ſeiſed his Brethren; but *Bruce* having Intelligence of the King's Intentions to take him off, by an Earl (whom *Buchanan* calls *Comitem Gomeriæ*, though by the way, there was at that time no Earl of this Title in *England*) he made his Eſcape, as hath been already related; and ſo ſoon as ever he came into *Scotland*, he by Accident met a Meſſenger with Letters from *Comyn* to the King of *England*, which he ſeized, and in them found how he had adviſed Him to put *Bruce* to Death. He was ſo much enraged at this Treacherous Dealing, of One whom he took for his Friend, That he immediately rode away to *Dunfreis*, and there meeting *Comyn* in the Church abovemention'd, and producing the Letter he had ſo lately taken, accuſed him of Treachery and Falſhood; but the other confidently denying it, *Bruce* was ſo exaſperated, That he ſtabbed him in the Belly with his Dagger; and Two of his Friends fearing that he had not ſufficiently done his Buſineſs, immediately ran

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into him and finiſhed the Work; after which, they all made their Eſcape as faſt as they could.

The Improbability of their Relations.

This Account, though plauſible enough, yet is attended with this Improbability, That none of the *Engliſh* Hiſtorians of that time mention any of theſe Circumſtances, but do all agree in the Relation of *Comyn*'s Death, and the Cauſes of it, as is ſet down before; though I grant that the Continuator of * *Fourdon* relates this Action much in the ſame manner as *Boethius* and *Buchanan* have done, but he lies under the ſame ſuſpition of Partiality to his Country, as thoſe Two Authors that follow him: And indeed the Circumſtances of the Story are very improbable, as theſe *Scotiſh* Hiſtorians relate them; for is it likely, That King *Edward*, having made Three Expeditions into *Scotland*, and been at ſuch Charge and Trouble to ſettle that Kingdom, having not long before made the Clergy and Nobility thereof Swear Fealty to Himſelf, ſhould now ſeem willing to part with that Crown to another? Or that either *Bruce* or *Comyn* ſhould be ſo ſtupid as to believe Him, had He ever made any ſuch ſeeming Propoſition? Therefore it was not likely, that *Comyn* ſhould diſcover this Plot to the King, ſince he did thereby not only betray his own Guilt, but alſo his Weakneſs in doing it, without any Certainty to obtain the Crown himſelf. But I ſhall leave it to the Impartial Reader, to judge which of theſe Two Relations he thinks moſt probable, and ſhall proceed to that which is moſt certainly acknowledged by both ſides.

Many Biſhops and Noblemen join with *Bruce*, who now makes himſelf King of the *Scots*, and has the Crown ſet upon his Head by the Counteſs of *Bouquhan*.

The Lord *Comyn* being thus taken off, [1] *Bruce* having already made the Biſhops of St. *Andrews* and *Glaſco*, with ſeveral Earls and Barons, Privy to his Deſign, drew them over to his Party; who, notwithſtanding they had moſt of them Swore Fealty, and done Homage more than once to King *Edward*, yet they with their Tenants and Followers preſently took up Arms; and there not being ſufficient Forces of the *Engliſh* then left in *Scotland* to reſiſt them, on our *Lady-day* the Biſhops abovemention'd, with Five Earls and ſeveral Barons of that Kingdom (beſides a great Multitude of the common ſort of People) aſſiſted at the Coronation of *Robert Bruce*, in the Abby Church of *Scone*: But he not thinking this ſufficient, on [2] *Palm-Sunday* following, had the Crown ſet upon his Head by the Counteſs of *Bouquhan*, Siſter to the Earl of *Fife*, to whom this Office belonged by Hereditary Right; which Ceremony was then believed to be ſo neceſſary, That this Counteſs not only ſtole away from her Husband for that end, but alſo carried off all his War-Horſes along with her; for which Fact you will e're it be long find her expos'd to ſufficient Shame.

The great difficulties the new *Scotiſh* King met with at firſt; and the Reaſons of them.

So ſoon as this Solemnity was over, the [3] new King and thoſe of his Party did what they could, (by receiving the Homages of ſuch as would come into Him, by ſeizing of Caſtles, and driving out the *Engliſh*,) to ſettle Him in his new Government; and though He did Wonders, conſidering the ſmallneſs of his Forces, yet by reaſon the whole Family of the *Comyns*, who were then, together with their Dependants, very powerful, oppoſed them with all their Might, and that moſt of the ſtrongeſt Places in *Scotland* ſtill remained in the hands of the *Engliſh*, as alſo becauſe ſeveral of the chiefeſt of the Nobility as yet continued Neuters, to ſee what Succeſs this new King might

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* *MS. in Bib. St. Ben. Cantab.*

[1] *Chron. Abing. M. W.*

[2] *T. W.*

[3] *Buchan. ib.*

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meet with; it was no wonder if his Forces were eaſily broken and ſubdued, as you will find in due time.

But this preſent Defection of the *Scots*, as well as a more general One the next Year, upon the Death of King *Edward*, will ſufficiently teach us, *That no Promiſes or Oaths whatever, (when extorted by Force or Fear) though never ſo Solemnly made, will, or can oblige a free People to become Subject, and give up their Antient Laws and Liberties, to a Foreign Prince:* So that it appears King *Edward* had indeed behaved Himſelf with more Clemency than Policy toward the *Scotiſh* Nobility and Gentry, that had been in Arms againſt Him, whom He admitted to compound for their Eſtates according to the Rates He had impos'd upon them; which was ſo far from being thought an Obligation, that it rather encouraged them again to rebel, to avoid the Payment thereof.

But it is time to return to the Affairs of *England*: Where ſome time before the King had made this further Advantage of the Pope's Favour, That He thereby obtain'd his Bull, abſolving Him from his late Oath for *Deforeſting* (or laying out of his *Foreſts*) all ſuch Lands as did not truly belong to them. [4] This Bull being publiſhed on *Eaſter*-day, gave a general Diſcontent to the whole Nation, ſince the King therein followed the Evil Example of his Father, who obtain'd the Pope's Abſolution from his Oath, to the Proviſions or Statutes of *Oxford*: And indeed this Act of the King's was looked upon ſo much the worſe, as being directly againſt Law, and the Antient Charter of *Foreſts*; beſides His own late Conceſſions. But then, to give the People ſome Satiſfaction, and to ſtop their Mouths from Clamour, He not long after made and publiſh'd that *Ordinance* of the *Foreſt* now upon Record, and Printed in * *Totel's* ***Magna Charta***, chiefly intended to regulate ſeveral Abuſes committed in the *Swainemote*-Courts, and to prevent divers Treſpaſſes committed in the King's *Foreſts*; which Ordinance bears Date at *Weſtminſter* the Eight and twentieth of *May*, in the Thirty fourth Year of his Reign: And at the ſame time with it, He alſo iſſued out a Writ, or Letter, enter'd upon the ſame † Statute-Roll with this Ordinance, and of the ſame Date; wherein He expreſſed Himſelf much troubled in Mind for the Clamours of the People, who, as He there ſays, were much oppreſſed, impoveriſhed, and injured by the Officers of his *Foreſts*; and therefore deſiring to obviate theſe Oppreſſions and Grievances, which He could not paſs by without great Scandal or Offence, and to provide for the Peace and Tranquility of the Kingdom, He had iſſued the aforeſaid Ordinance of the *Foreſts*. * This Writ or Letter was ſent into every County of ***England***, with Command to the Sheriffs to cauſe them to be read, and the Ordinance that came with it, to be Proclaimed in a full *County-Court*. But how Gracious ſoever the King's Promiſes now might be to ſatiſfy the Minds of the People, yet it is certain, That by this Ordinance He diſannull'd the former *Charter* concerning *Deforeſtations* of thoſe Places which had not been antiently *Foreſts*, as appears by this very † Ordinance it ſelf; therefore this Action will not bear that Gloſs which * Dr. *Brady* puts upon it in his Hiſtory: But we ſhall now return to the Affairs of *Scotland*.

[4] *M. W.* The King obtains the Pope's Abſolution of his late Oath for *Deforeſtations*, which gives a general Diſcontent.

* *Par. ſecunda, P.* 67. *Edit.* 1556.

Yet to give the People ſome Satiſfaction, He publiſhes an Ordinance for the Regulation of Abuſes in the *Swainmote-Courts*.

† *Rot. Stat.* 35 *Ed.* I. *M.* 13, 14.

* *Ibidem.*

† *Art.* 5.

*Second Vol. *p.* 84.

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So ſoon as the King received the ill News of the late Defection of the *Scots*, immediately (till He could provide a greater Force) [5] He ſent to relieve the Gariſons of *Berwick* and *Carliſe*, thereby to ſecure the *Engliſh* Borders on that ſide from any Invaſion. In the mean while the new *Scotiſh* King, finding the Men of *Galloway* utterly refuſe to join with thoſe of his Party, He in Revenge fell in upon them, and deſtroyed their Country, beſieging One of their Chief Noblemen in his Caſtle, till he could be relieved by the Gariſon of *Carliſle*. But as for [1] King *Edward*, till ſuch time as He could go in Perſon, He in the beginning of the Spring diſpatch'd *Americ de Valence* Earl of *Pembroke*, the Lords *Robert Clifford*, and *Henry Piercy*, into *Scotland*, with a ſmall Army, to put a ſtop to all new Inſurrections, and to Protect thoſe that continued ſtill in their Allegiance; and alſo gave full Power to the Earl, as Guardian of *Scotland*, to receive thoſe to Mercy and Pardon who would come in and ſubmit themſelves, excepting thoſe who had a hand in the Murther of the Lord *Comyn*, as appears by an *Original Charter (ſtill preſerved) under the Great Seal. And for augmenting the Forces neceſſary for this Expedition, † He cauſed it to be publickly Proclaimed all over *England*, That as many as were obliged to be made Knights, either by Paternal Succeſſion, or for their Eſtates, ſhould appear at *Weſtminſter* on the Feaſt of *Pentecoſt*, where they were to receive all the Military Ornaments (except for their Horſes) from the King's Wardrobe; ſo that Three hundred Young Gentlemen, the Sons of Earls, Barons, Knights, *&c.* had Scarlet Cloth, fine Linnen, and Belts embroidered with Gold, diſtributed to them according to their Quality: And becauſe the King's Palace was not able to receive them, they were fain to cut down the Apple-trees in the Orchard of the *New-Temple, London*, wherein theſe intended Knights pitched their *Pavillions*, and kept their *Vigil* in the Church belonging to the ſame; whilſt in the mean time the Prince of *Wales*, by his Father's Order, did the like in the Abby-Church of *Weſtminſter*, with certain Young Noblemen of the higheſt Quality. On the Morrow after, the King knighted the Prince in the Palace, and made him Duke of *Aquitain*; who, ſo ſoon as he had received this Honour, went to the Abby-Church, there to confer the ſame upon his Companions; but He fouud the Crowd ſo great, That He was forced to ſtand upon the High-Altar to perform the Ceremony of knighting them.

[5] *Chron. Lan.* Upon the News of the Defection, the King ſends to ſecure the *Engliſh* Borders.

[1] *T. W.* The King ſends the Earl of *Pembroke* into *Scotland* with an Army.

* *Penes, D. Le Neve, Vice-Remem. Scac.*

† *M. W.* The King Summon's in all to be made Knights, That by Birth or Eſtate, are obliged to it. The mighty appearance of thoſe that came in for this purpoſe.

The Prince is knighted by his Father, with the manner of that Solemnity.

Then [2] the Prince coming before the King with this Noble Retinue, He made a Solemn Vow in their Preſence, That He would go into *Scotland* in Perſon, to Revenge the Death of the Lord *John Comyn*, and to puniſh the Perfidy of the *Scots*; adjuring the Prince and all the Great Men there preſent, by the Fealty they owed Him, That if He happened to Deceaſe before his Journey, they ſhould carry his Corps with them into *Scotland*, nor ſhould bury it until ſuch time as their new King had obtain'd the Victory over that perfidious Uſurper and his perjured Nation. Upon which, all the Nobility there preſent, promiſed in good Faith to be always ready to march with the Prince, and perform His Majeſty's Commands, whether He Lived or Died. Then the King having commanded them to meet Him at *Carliſle* Fifteen Days after *Midſummer*, ſent them Home for a time to provide all things neceſſary for this Expedition.

[2] *Id ib.* The Solemn Vow the King made in the Preſence of the Prince, and the reſt of the Young Knights.

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[3] *T. W.*

An Account of the Actions of the *Scotiſh* King during this time.

He Challenges the Earl of *Pembroke* to a Battel, which he not daring to undertake, marches out, ſurprizes the *Scots*, and puts them all to the Rout.

[4] *Chron. Abing.*

Their King makes his eſcape to the Caſtle *Kentyre*, but does not continue long there, but flies to the *Weſtern Iſles*.

[5] *Id. Ib. M. W.*

In the mean while, [3] the New *Scotiſh* King, *Robert*, having made a Progreſs about that part of *Scotland* that acknowledged Him, and received the Homages of a great many of the Nobility, and thereby raiſed a conſiderable Army, marched towards St. *Johnſtown* in order to take it: To prevent which, *Americ de Valence*, Earl of *Pembroke*, arrived there a little before with his Forces; but the King of *Scots* having the greater number of Men, was ſo confident of the Succeſs, as to ſend the Earl a Challenge to come out to fight him; which he preſently anſwered, and appointed it the next day; yet finding himſelf far inferior in number, he thought it not ſafe to come to a pitch'd Battel; and therefore, by the general Conſent of all the Officers in the Gariſon, it was thought the wiſeſt Courſe to be before-hand with the *Scots*: So [4] preſently marching out, they ſurprized them as they were that Evening providing their Suppers, and ſetting upon them in their Camp near *Methſen*, (a Place adjoyning) ſlew a great number of them before they could put on their Arms; ſo that the *Scotiſh* Soldiers being raw and unexperienced, preſently fled, and left their Camp and Bagage behind them. In the perſuit, many were killed, and more taken Priſoners; and the King Himſelf had like to have been one of the number, tho' He behaved Himſelf very gallantly, having been thrice diſmounted from his Horſe, and as often remounted by *Simon Freyſell*, a Valiant Warriour, by whoſe Aſſiſtance He eſcaped to a Caſtle in the Iſle of *Kentyre*: As for the reſt of the Army, they fled to the Woods and Mountains. Then the *Engliſh* General, preſently after the flight having cauſed all the Priſoners of Note to be forthwith Executed, marched againſt the Caſtle abovementioned, ſuppoſing the *Scotiſh* King to have been there: But when he had Beſieged and Taken the Place, he found himſelf miſtaken; for He was fled a little before to the *Weſtern-Iſles*, where He lay conceal'd until after King *Edward*'s Departure out of *Scotland*.

King *Robert*'s Lady and Brother taken in the Caſtle laſt mentioned; as was alſo the Earl of *Athol* not long after.

Then [5] the Earl of *Pembroke* took that Caſtle, wherein were King *Robert*'s Lady, and *Neele Bruce* his Brother, with ſome other Perſons of Quality, who were all ſent Priſoners to *Berwick*: And not long after, the Earl of *Athol* was taken, who had likewiſe eſcaped from that Caſtle before the Siege. And then the *Engliſh* Army, ſcouring the Country, pick'd up all Fugitives that had fled from the Fight.

[1] *Scal. Chron. MS. in Bib. Ben.*

The King ſends the Prince his Son, with divers Noblemen, and a ſufficient Army, into *Scotland*, where he takes divers Caſtles, and Noble Perſons Priſoners.

This Battel was fought about *Midſummer*, not long before King *Edward*'s Arrival; ſo that there was little left for Him to do, but to enjoy the Fruits of the Victory. But [1] before He received the News of it, He ſent away his Son, the Prince, attended by the Earls of *Lancaſter* and *Hereford*, with a ſufficient Army againſt the *Scots*; who entring that Kingdom without any Reſiſtance, paſſed the Mountains, and aſſaulted the ſtrong Caſtle of *Kildromney*, and took it; in which were the Lord *Seaton*, and his Lady, Siſter to King *Robert*, who were ſent Priſoners to *Dumfrees*; where he was not long after Hang'd and Quartered, for having killed one of the King's Sheriffs.

The King enters *Scotland* Three Weeks after *Midſummer*, and is well received by thoſe *Scotiſh* Noblemen who continued firm to Him.

Then the King, about Three Weeks after *Midſummer*, marched in Perſon into *Scotland*, where He was honourably received by as many of the *Scotiſh* Nobility as had not been engaged in the late War, whilſt the reſt fled out of the Country. King *Edward* being come to *Dumfrees*, the Prince, who was now return'd from the *High-lands*, came to St. *John's-town* with his Forces; after whoſe Departure, King *Robert* being now in the Mountains of *Athol* with a ſmall Company, ſent Meſſengers to the

Prince to try if He could obtain any Favour by Treaty, offering to come to him upon a Safe-Conduct: But this Propoſal came to nothing; for the King, when He heard of it, was very much incenſed, that any one ſhould preſume to hold Correſpondence with that Traytor (as He call'd him) without his Knowledge: Then the Prince, not to give the King any Cauſe of Suſpicion, went to him to *Dumferling*. Where [2] the Biſhops of St. *Andrews* and *Glaſco*, with the Abbot of *Scone*, being taken Priſoners not long before, with Armour under their Surcoats, were preſented to the King as the Chief Promoters of the late Rebellion: But being Church-Men, the King durſt do no more to them than ſend them Priſoners to ſeveral Caſtles in *England*; the Biſhop of St. *Andrews* to that of *Wincheſter*, he of *Glaſco* to *Portceſter*, and the Abbot to *Mere*-Caſtle in *Wiltſhire*, where they were all ordered to be put in Fetters, and kept cloſe Priſoners, and none permitted to ſpeak with them, as appears by the ſeveral * Writs or Warrants to the Sheriffs of each County, who were charged to keep them ſafe, under Penalty of Forfeiting their Goods and Lands. Theſe Writs are upon Record in the *Tower*; and that to the Sheriff of *Hampſhire*, is Printed in Dr. *Brady*'s † Appendix to his laſt Volume.

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King *Robert* offers to Treat with the Prince; at the News of which, the King is very much diſpleaſed.

[2] *M. W.*

The Biſhops of St. *Andrews* and *Glaſco*, with the Abbot of *Scone*, taken, and ſent cloſe Priſoners to *England*.

* *Rot. Clauſ.* 34 *Ed.* I. *M.* 6. *N* 38. Printed in *Pryn*'s firſt Vol. *f.* 1124.

† *N.* 38.

Then [3] the King, having ſettled *Scotland* as well as He could in ſo ſhort a time, return'd into *England*, and took up his Quarters in the Abby of *Lanercoſt* near *Carliſle*: From whence He ſent certain Juſtices to *Berwick*, who ſat in Judgment upon *Neele de Bruce*, and thoſe that were taken with him, who were all Condemn'd, and accordingly Executed as Traytors ſoon after. As for the Wife of King *Robert*, being Siſter to the Earl of *Ulſter*, ſhe was ſent Priſoner into *England*, and there kept divers Years in cloſe Cuſtody, tho' civilly treated according to her Quality: But the Counteſs of *Bouquhan*, who had put the Crown upon King *Robert*'s Head, did not eſcape ſo well; for tho' being a Woman, the King thought it beneath Him to put her to Death, yet to deter others from the like Preſumption, He was reſolved to make her a publick Example, by ordering her to be put in a Wooden-Cage, ſhaped like a Crown, and ſo to be hung out from the Walls of *Berwick* for all that paſſed by to gaze upon and reproach her. As for the Earl of *Athol*, who had now forfeited his Life, by a ſecond Rebellion, he was ſent to *London*, and not long after Condemned, and publickly Executed on a Gallows 50 Foot high. Then the King caus'd a ſtrict Inquiſition to be made by Perſons of Credit; and whoever were found Conſenting or Aiding to the Murther of the Lord *Comyn*, or that were Aſſiſting at the Coronation of *Robert Bruce*, and thereof Convicted, were immediately Executed; But thoſe who were not involv'd in thoſe Crimes, and had only been in Arms, if they voluntarily Surrendred themſelves, were only committed to Priſon. The chiefeſt of whom were * *James* Lord *Stewart* of *Scotland*, who coming in, and acknowledging his Fault, ſubmitted himſelf and his Eſtate to the King's Mercy; and not having been concern'd in either of the abovementioned Actions, was Pardoned and Reſtored to his Eſtate, though upon this Condition, That if ever he, or his Heirs, ſhould again take up Arms againſt the King and his Succeſſors, or be found Aiding or Adviſing any of his Enemies, they were then to forfeit their Bodies, Lands, Tenements, and all they had: And the Biſhops of *England* and *Scotland* were alſo Authorized thereupon to paſs Sentence of *Excommunication* againſt him,

and

[3] *Chron. Lan.* *M. W.*

The King returns to *England*, and Quarters at the Abby of *Lanercoſt*; from whence he ſent Juſtices to *Berwick*, who Condemned *Neele Bruce*, and the reſt of the *Scots*, to be Executed; with the odd Puniſhment of the Counteſs of *Bouquhan*.

The Earl of *Athol* Executed, and all thoſe who had any hand in the Murther of the Lord *Comyn*, or aſſiſted at *Robert Bruce*'s Coronation.

* *Rot. Clauſ.* 34 *Ed.* I. *M.* 3. *Dorſ.*

Yet ſome ſubmitting, are received to Mercy.

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and his Heirs, and put all their Lands under an *Interdict*. This is the Subſtance of this Lord's Charter or Patent, which he Sealed and Delivered to the King in the Priory at *Lanercoſt*, before two Notaries, and other ſufficient Witneſſes, on the Twenty third of *October*, 1306. as appears by the * Roll of this Year.

* Printed in *Ryley's Placit. Parliament.* p. 511, 512. *Pro Rege de Fidelitate Jacobi Seneſchalli Scotie.*

And there is alſo enter'd upon the ſame Roll and Membrane, the King's Directions to the Guardians and Juſtices of *Scotland*, (given at the ſame Place) how they were to proceed againſt, and puniſh the ſeveral ſorts of Offenders that had been engaged in the late Rebellion, in theſe Words:

† *Id. ib* p. 510. *De Ordinatione pacis in Terra Scotiæ publicanda.*

The King's Sentence how thoſe that were in the late Rebellion ſhou'd be dealt with.

* The manner of the *Scotiſh Outlawry*, which they call, puting to the Horn.

† *It was Agreed by the King and his Council, That the Guardian of* Scotland *ſhould cauſe to be proclaimed, in all Cities, Burghs, and Mercate Towns, and in all other Places where he thought fit, That all ſuch who were againſt the King in the laſt War, and were not come to his Peace; and others, who had committed Felonies and other Crimes, for which they ought to loſe Life or Member, and were not taken, ſhould be Apprehended by any Perſons wherever they came; and to that purpoſe were to levy* Hue *and* Cry, *with* * Horn *and* Mouth, *and perſue them with Force, from Town to Town, and Country to Country, until they render'd themſelves, or were taken Dead or Alive; and that thoſe who neglected to do this, ſhould loſe all their Goods, and be Impriſoned during the King's Pleaſure: The Guardian was likewiſe to enquire after the Receivers of ſuch Perſons, that they might have ſuch Juſtice as they deſerved.*

It was then likewiſe Accorded, That all thoſe who were Guilty, and Abettors, of the Death of John Comyn, *ſhould be Drawn and Hang'd; and thoſe that Adviſed and Aſſented to it, and thoſe who after the Fact, knowingly and willingly, or freely received them, ſhould have the ſame Judgment.*

And thoſe that were guilty of his Death, that were, or ſhould be taken by force, in this War againſt the King, ſhould be Hang'd, or have their Heads cut off, and their Receivers to have the ſame Judgment.

And all that were againſt the King in the War at any time, as well before, as in, and after the Battel of Metfen, *thoſe who were the moſt notorious and dangerous of them ſhould be put in Priſon where the King ſhould appoint, and not to be releaſed but by his Order.*

And thoſe who willingly were of the Party of Robert Bruce, *or were Aiding, Adviſing, Procuring, or Perſwading the People to Riſe contrary to Law, and were thereof convicted, whether Clerks or others, ſhould be Impriſoned during the King's Pleaſure.*

And it was Ordain'd, That the People of Scotland, *who were forced to Riſe againſt the King in this War, ſhould be Fined, as the Guardian ſhould ſee Cauſe, and according to their Offence. And for the greater Authority, and Execution of this Agreement, the King cauſed it to paſs under His Seal of* Scotland, *and bears Date at* Lanercoſt.

[4] C. *W. H.* The Actions of King *Robert Bruce* after his Return from the *High-lands*.

But it is now time to look back, and ſee what hath been doing in *Scotland*; where about *Michaelmaſs* King *Robert* had the Courage to Sally out of his Retreat in the *Weſtern*-Iſles, with ſome of thoſe Iſlanders in his Company, as far as to the Caſtle *Kentyre*; and thence ſent privately ſome of his Men into his Earldom of *Carrick*, to raiſe ſome Rents among his Tenants: Of which, the Lord *Henry Piercy* receiving Intelligence, preſently marched that way with ſome Forces, either to hinder, or take them Priſoners: But it ſeems the King had

notice

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notice of his Deſign, and coming upon him on the ſudden, ſurprized and killed many of his Retinue, and plunder'd him of all his Plate, and other Bagage; ſo that the Lord *Pierty* himſelf was forced to take Refuge in the Caſtle *Kentyre*, and there to remain until ſuch time as the King could ſend Forces to relieve it.

And when they came up, they not only forced King *Robert* to quit the Siege, but purſued Him ſo cloſe, that He was obliged once more to flee, and (as the [5] *Scotiſh* Writers relate) was, in his way out of *Athol* into *Argyleſhire*, ſet upon by the *Comyns* at a Place called *Dalree*: And there his Forces being put to the Rout, he was fain to ſhiſt for himſelf, and again to retire into the *Weſtern*-Iſles; where he lay for ſome time conceal'd with only One or Two Followers, Faring and Lodging very hard with ſome of the *High-landers*, until he had found an Opportunity to Sally out from his Faſtneſs the next Spring; and then raiſing freſh Forces, ſurprized the *Engliſh* Commanders, and defeated them, as you will find hereafter.

[5] *Lan. Ib. Boeth. Ib.*

I find nothing elſe to have been acted in *Scotland* this Year; [6] but that *Thomas* and *Alexander*, Two other Brothers of King *Robert*, together with an *Iriſh* Prince, and ſome other *Scotiſh* Noblemen, having Invaded *Galloway*, were taken Priſoners in a Skirmiſh, by one *Donal Macdoile*, a Nobleman of that Country, who carried them to the King, and He preſently ordered them all to be Executed; ſo that King *Robert* loſt Three Brothers in leſs than Three Months time, beſides his Wiſe, who was kept a Priſoner.

[6] *Id. Ib. Chron. Lan.*

The Taking and Executing two of K. *Robert*'s Brothers.

As to Eccleſiaſtical Affairs, I find nothing conſiderable; but that the Pope having now transfer'd the Place of his Reſidence from *Lyons* to *Bourdeaux*, and being there inform'd by the King's Letters of the Death of the Lord *Comyn*, He, by a Bull directed to the Archbiſhop of *York* and Biſhop of *Carliſle*, ordered them to pronounce *Excommunication* againſt *Robert Bruce*, and all his Accomplices, until they made Satisfaction, and deſerved *Abſolution*, for the Death of *John Comyn*; as appears by the Bull it ſelf upon * Record in the *Tower*. This Authority ſufficiently confutes *Buchanan*'s Relation, who makes *Robert Bruce* not to be Crowned, until he had received the Pope's *Abſolution* for the Murther of that Nobleman in the Church of *Dumfrees*; but this was a ſmall Error in One, who makes no difficulty to put the beſt Gloſs upon all Things done by his Countrymen, be they true or falſe.

* 34 *Edw.* I. Printed in *Pryn*'s 3d Vol. *p.* 1122.

A Confutation of *Buchanan*'s miſtake.

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The King having by a * Writ, dated at the Abby of *Lanercoſt*, the Third Day of the precedent *November*, ſummoned a Parliament to be held at *Carliſle* on the Octaves of St. *Hillary*, and then returned to *Carliſle*, the City where he kept his *Chriſtmaſs*, and then at the time appointed met the Eſtates of the Kingdom. This Parliament (as appears by the Form of the Writs) was called for the Settling and Eſtabliſhment of *Scotland*, and for other great Affairs concerning the King and the Eſtates of the Kingdom of *England*; yet what was done concerning *Scotland*, I do not find: But as for the Buſineſs of this Kingdom, it was (beſides the Hearing divers Petitions, and Diſpatch of many private Cauſes) chiefly relating to Eccleſiaſtical Affairs; therefore I ſhall refer the Reader for what I have ſaid upon this Subject to the latter end of this Reign.

* 34 *Ed.* I. *M.* 2. *Dorſ.*

[1] *M. W.*

The King Summons a Parliament at *Carliſle*, and the Intent of it, with what was tranſacted therein.

But

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[2] *Id. Ib.* *M. W. T. W.* The K. being informed of the too great Familiarity between the Prince and *Piers Gaveſton*, order'd him to be Baniſhed; and for what Reaſon.

[3] *Chron. Cot. MS.* cited in *Fabian*'s Chronicle. *Annal. S. Aug. In Bib. Ben.*

But to ſpeak of ſome Affairs of leſs Moment, tranſacted in the time of this Parliament [2] at *Carliſle*: The King being inform'd of the too great Familiarity there was between the Prince and *Piers de Gaveſton*, and what a powerful Influence he had over him, order'd the ſaid *Piers* in a Great Council of the Nobility to be Baniſhed the Kingdom. But though Dr. *Brady* either could not, or would not tell us the Reaſons why *Gaveſton* was at that time Baniſhed, yet he might have found them in *Matt. Weſtminſter*, and the Chronicle of *Adam Meremouth*, who all agree that it was for giving the Prince ill Councel, and leading him into ſeveral looſe and debauched Courſes, ſo as in his Company to break the Park of [3] *Walter Langton* Biſhop of *Cheſter*, then Chancellor, and killing his Deer; who complaining to the King of theſe looſe Courſes of the Prince, He cauſed moſt of his Servants to be turn'd off; nor would He admit him to come into his Preſence for ſome days, till he had asked his Pardon for what he had done: But how ſeverely the Prince, when he came to be King, was revenged upon the Biſhop for this Action, you will find in the beginning of his Reign.

*Clauſ. 35. Ed. I M. 13. Dorſ. Printed in Dr. B's. Append. N. 43.

† That was to be *A. D.* 1307.

But to ſay ſomewhat more particularly of the Manner of *Gaveſton*'s Baniſhment; it appears by a *Record in the Tower, That on the Twenty ſixth day of *February* the King, for certain Reaſons, commanded, that
' *Piers de Gaveſton* ſhould by *May-day* † following, take Shipping at *Do-*
' *ver* to go into *Gaſcoigne*, and never to return without the King's Leave,
' or being recalled by Him. And for the Performance of this Order the
' ſaid *Piers*, at the Day and Place aforeſaid, made Oath upon the *Body*
' of *God* (*i. e.* the Conſecrated *Hoſt*) the Old Croſs, and the King's
' other Reliques; and the Prince of *Wales* made Oath in like Manner,
' that he would not Relieve, Retain, or Permit the ſaid *Piers* to be with
' him contrary to this Order, unleſs he was recalled by, and had Leave
' from his Father to return: And for his Subſiſtence beyond Sea, ſo long
' as he ſtay'd there, he had allowed him an hundred Marks Sterling
' *per Annum* out of the Revenues of *Gaſcoigne*, with this Condition, That
' the King might encreaſe or diminiſh this Penſion as He ſhould think fit.
This was done at *Carliſle*.

An Account of *Gaveſton*'s Birth and Education.

But ſince the Perſon abovementioned will make ſo great a Figure in the next Reign, it may not be amiſs to give you this farther Account of him in this; That he was the Son of a *Gaſcoigne* Gentleman, and had been bred up by the King's Order with his Son the Prince from his Childhood, and being a handſom well humour'd Young Man was beloved by him above all his other Servants; but he was, as he grew in Favour, ſo Haughty and Inſolent in his Temper, that he incur'd the hatred of all the Chief Men of *England*, who never deſiſted until they had his Head, as you will find hereafter. But to return to Matters of Greater Moment.

[4] *M. W. T. W.* The Pope ſent a Cardinal to finiſh the Treaty of Mariage between the Prince and the Daughter of *France*; with the King's Anſwer thereunto.

Whilſt [4] the King was holding his Parliament at *Carliſle*, a Cardinal named *Petrus Hiſpanus*, becauſe he was a *Spaniard*, but by his Title Cardinal of St. *Sabine*, being ſent from the Pope to deſire Him to finiſh the Treaty of Mariage between his Son the Prince, and the Daughter of the King of *France*, according to the Award or Appointment of the late Pope *Boniface*; to this Meſſage the King breifly anſwer'd, That He was at all times ready to fulfil whatſoever had been before *Ordained*, provided the King of *France* would perform what was ſtill to be done on his part; for though He had reſtored all *Gaſcoigne*, yet ha-

having given away the Caſtle of *Mauleon* (part of that Province) to a certain *French* Knight, King *Philip* either would not, or could not make him ſurrender it to the right Owner; and therefore it was upon that Account He had hitherto delay'd the Conſummation of the Mariage: Then the Cardinal return'd to *London*, expecting the King of *France*'s Anſwer concerning it; and all other Differences were looked upon to be ſo near a Concluſion, that [4] about Midſummer the King ſent the Prince to *London*, there to lye ready to go over into *France* upon the firſt Signification that King *Philip* had perform'd what He had promiſed, and what was then expected from Him.

[4] *M. W.*

Sometime [5] before this, King *Edward* being allarm'd with the late Succeſs of the *Scotiſh* King, had ſent his Writs or Letters into *England*, whereby He ſummoned all thoſe that owed Him Service to be ready at *Carliſle* with their Horſes and Arms within Fifteen days after *Midſummer*.

[5] *Id.*

The King Summons all that owed him Service to be ready at *Carliſle*.

But to return to the Affairs of *Scotland*. About the end of the laſt Winter, the [1] King of *Scots* leaving the *Weſtern High-lands*, where He had hitherto lain abſconded, and having raiſed ſome Forces there, conſiſting of the *High-land Scots* and others that came in to Him, paſſing over the Frith of *Cluyd*, He took the Caſtle of *Innerneſs*; the Fame of which Action gave freſh Courage to the *Scots* in thoſe Parts, who coming to Him in great Numbers, preſently made up ſo conſiderable an Army, that in a ſhort time He took moſt of the Caſtles in the North of *Scotland*, which He preſently demoliſhed, not having then ſufficient Forces to Man them; and thus He proceeded, carrying all before Him, into the Inner Parts of *Scotland*, until He came to the Place where the *Eske* falls into the Plains of *Mar*; and there *John Comyn*, Earl of *Bouchan*, having got together all the *Engliſh* and *Scots* in thoſe Parts that were fit to bear Arms, marched out againſt King *Robert*, whom finding ſtrongly encamped, the Earl though he was ſuperior to Him in Number, yet durſt not aſſault Him in his Trenches, and therefore marched off to reinforce his Army: In the mean while the King of *Scots* going ſometimes forward and ſometimes backward, and never ſtaying long in a Place, for fear of being ſurpriſed or engaged againſt his Will, took in all the weaker Places in the *Low-Lands*, and thereby highly raiſed the Spirits of thoſe of his Party. This is in ſhort the Account which the *Scotiſh* Hiſtorians give of their King's Succeſs this Summer.

[1] *Boeth. Buchan. Ib.*

The Actions of King *Robert Bruce* after his leaving the *High-Lands*.

He takes all the Weaker Places in the *Low-Lands*.

This is likewiſe confirmed by our *Engliſh* [2] Hiſtorians, who tells us. That preſently after *Eaſter* King *Robert* having reinforced his Army by the Acceſſion of a Great Number of *Scotiſh-men*, who choſe rather to venture Death it ſelf than to be ſubject to the *Engliſh* Laws and Puniſhments, He with theſe and ſome *High-landers*, marched againſt thoſe Noblemen King *Edward* had left to Govern and Defend thoſe Parts during his Abſence. The firſt that *Bruce* engaged with, was *Aymer de Valence*, Earl of *Pembroke*, whom He put to flight, yet killing but few of his Men; and three days after He did the like to *Ralf de Monthermer*, Earl of *Gloceſter*, yet with the Slaughter of a great many on both ſides, and then beſieged him in the Caſtle of *Ayre*, till King *Edward* hearing of it, ſent Forces to releive him, as you will hear by and by.

[2] *C. W. H. M. W.*

King *Robert* having reinforced his Army, marches againſt K. *Edward's* Lieutenants, and routs the Earls of *Pembroke* and *Gloceſter*.

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[3] *Id. ib. Chron. Abing.* *John* the Brother of *William Wallys* taken and Executed at *London*.

In the mean while [3] King *Edward* continuing ſtill at *Carliſle*, preſently after *Eaſter John Wallys*, Brother to *William* (lately Executed) was brought thither Priſoner, whom the King ordered to be ſent to *London*, there to receive the ſame Sentence his Brother had done before. Yet notwithſtanding, theſe ſevere Executions did not at all deter *Bruce's* Adherents from their former Undertakings, but rather made them more deſperate, ſince they knew they could but die.

[4] *Id. Ib.* The King's Army being come to *Carliſle*, he ſends part of it into *Scotland* to releive the Earl of *Gloceſter*. Upon their Approach King *Robert* raiſes the Seige.

King [4] *Edward* being highly incenſed at theſe Proceedings, only waited for the Arrival of his Army to proſecute his Revenge, which being come to *Carliſle* three Weeks after Midſummer, according to the late Summons, He preſently ſent great part of them away before to raiſe the Seige of the Caſtle of *Ayre*, wherein the Earl of *Gloceſter* then was (as hath been before related.) But King *Robert* upon the approach of theſe Forces left the Siege, and with a flying Army of about Ten Thouſand Foot, retired into his wonted Coverts, the Bogs and Mountains, where He continued all this Summer, till after the King's Death, and that he heard of the Departure of the new King into *England*. But now to return to the Affairs of *England*.

[5] *Id. Ib. Ab.* The King is taken with a violent Dyſentery.

[1] *C. Jo. London.*

[2] *C. W. H.* Of which in a few days he deceaſes at *Burgh* upon the *Sands*.

Not [5] long after the Prince's Departure, the King was taken with a violent Flux or Diſentery, which obliged Him to keep his Chamber, inſomuch that He was reported Dead: But though He was very ill, yet He gave Orders for his Army to march towards *Scotland*; and on the Third of *July* He left *Carliſle* to begin his Journey thither, but He was not able to March above two Miles a day; ſo that when He came to a ſmall Town called *Burgh* upon the *Sands*, He found Himſelf to grow worſe and worſe, and ſtaying there, took his laſt Bed: [1] Where being put in mind of his latter End, He piouſly broke forth into this memorable Ejaculation; *O Lord! if thou thinkeſt it good for theſe thy People to have me here continue longer with them, I am ready to venture my Life for them; but if Otherwiſe, thy Will be done*: [2] Then a few days after, whilſt his Servants were going to lift Him up in his Bed, to give Him ſomewhat to nouriſh Him, He expired in their Arms, the Seventh day of *July*, being *Friday*, in the Sixty Eighth Year of his Age, having Reigned 34 Years 7 Months and 6 days.

His Commands to the Prince before his Death.

Walſingham ſuppoſes, That Prince *Edward* was now return'd to his Father, being ſent for a little before his Death, and that He gave him many good Inſtructions and Commands; as to be Merciful to thoſe in Diſtreſs; not to make haſt to be Crown'd, before he had revenged himſelf of the Injuries done to his Father by the *Scotiſh* Nation; and not to Bury his Body, but to carry it about with him into *Scotland*, till he had ſubdued his Enemies; to love his Brethren, and to be kind and reſpectful to the Queen his Mother in Law; and never to repeal the Baniſhment of *Peirs Gaveſton*. And that ſince the King Himſelf could not go in Perſon to the Holy-Land according to his Vow, he ſhould ſend his Heart thither with a Noble Retinue. Laſtly, that upon Pain of Damnation the Money which He had provided for that end ſhould be expended upon no other uſe. But this young Prince obſerved none of theſe his Father's dying Commands, as you will find in his Reign.

Yet it is uncertain whether he made any ſuch Speech.

Yet that the King ever made the Prince his Son any ſuch Speech as is here recited is very doubtful; for I find it in no other Author, only the Chronicle of *Rocheſter* and *Matt. Weſtminſter* relate that Injunction concerning the carrying of his Body about till *Scotland* was again redu-

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Upon the Arrival of the Prince, orders are taken about the late King's Funeral.

duced. But if the King gave the Prince any ſuch Directions, it muſt be rather before his Sickneſs; for that he was not preſent at his Death, the *Abingdon* Chronicle (written by an Author of that time) affirms; with which that of *Lanercoſt* expreſly agrees, and farther adds, That thoſe about the King concealed his Death for ſome time, till the Prince his Son, and Divers other Great Men of the Kingdom, could arrive; and that many were impriſoned for ſaying the King was dead. But on the Eleventh day after his Deceaſe, ſo ſoon as the new King was come, with Divers Noblemen and Biſhops, they all ordain'd that (notwithſtanding the King's late Injunction) his Body ſhould be carried into *England* by the Biſhop of *Cheſter* or *Coventry*, the late Treaſurer, and to remain at the Abby of *Waltham* until they could give further Orders about his Funeral, which was to be ſolemnized before the Eighteenth of *October* following. Then his Body was carried in great State to *Weſtminſter*, where *Anthony*, Patriarch of *Jeruſalem*, with ſome other Biſhops, perform'd the Sacred Offices. Sometime after, there was a plain Tomb of gray Marble erected over his Grave, which continues to this day, being behind the Altar, at the Head of that of his Father, King *Henry* the *Third*, with this ſhort Inſcription on the out-ſide of it. *EDWARDUS PRIMUS, SCOTORUM MALLEUS, HIC EST, 1308. PACTUM SERVA.*

The Tomb and Epitaph placed over his Grave.

MS. in Offic. Herald.

Since we have concluded the Glorious, though troubleſom Reign of this Great Prince, I ſhall now give you a Character of his Diſpoſition, with a brief (but no partial) Account of his Life and Actions, from *John* of *London*, a Monk of *Canterbury*, who lived in the Reign of this King, and his Son *Edward* the *Second*, and it is very likely knew Him perſonally; and he thus deſcribes Him. He was very tall, exceeding the common Size of Men; his Legs were long, which as they made Him have the better Seat on Horſeback, ſo it gave occaſion to his Enemies the *Scots* to give Him the Nick-name of *Long-Shanks*; He was alſo Broad-cheſted and ſtrongly made; His Hair was Flaxen in his Youth, Brown in his middle Age, and in his old Years grizled; yet He was never bald, or his Eyes dim; ſo that had it not been for this ſudden Diſtemper that carried Him off, He might have lived to an extream Old-Age: In one thing He particularly reſembled his Father, That the Eyelid of his left Eye almoſt covered the Pupil; yet the whole Air of his Face beſpoke Him a Man of Wiſdom and Courage.

K. *Edward* I. his Character from the Authors of thoſe times.

He ſo much deſpiſed all outward Pomp, that from the day of his Coronation He never again wore His Crown, and unleſs upon great *Feſtivals* and Solemn Occaſions never uſed Purple, Scarlet, or Rich Fur in his Garments, but commonly appeared in a Plain Coat, and in Winter with one lined with ſome ordinary Fur; and being once asked by a Monk why He did not go more Royally attired? He replyed, *Prithee why do'st ask? Will Clothes make me e're the Better?*

As for his Recreations, He loved Hawking and Hunting above all Others, which He frequently uſed whenever his Civil or Military Affairs would give Leaſure; and when He was in his Pallace, He employed Himſelf in the great Affairs of his Kingdom, looking into the Corruptions of thoſe whom He had appointed his Judges and Miniſters, often taking his Progreſs through ſeveral Parts of the Kingdom, on purpoſe to receive the Complaints, and redreſs the Grievances of his Subjects.

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To conclude, no Prince could be more ſharp and diſcerning in Council, none more powerful in natural Eloquence, none more undaunted in Dangers, and more cautious in Proſperity, nor leſs caſt down in all the Adverſe Accidents of Human Life.

In his Converſation, He was able to give wiſe and ready Anſwers to the moſt difficult Queſtions that were propoſed to Him, in either Politicks or Civil Matters. When He ſat as a Judge on nice and doubtful Caſes, He ſtill gave Judgment without reſpect of Perſons, defending the Poor, and all ſuch as had ſuffered any Wrong or Injuſtice: Thoſe He once loved He always advanced; and thoſe He once hated He ſeldom received into Favour: None was more Magnificent in his Bounties, or knew when to give more opportunely: In ſhort, He was a moſt prudent Law-Maker; and ſhewed in all his Actions that none knew better how to ſuſtain the Honour and Dignity of a King, with the Humility and Condeſcention of a Private Perſon. I need not mention his great Prudence and Magnanimity in War, ſince his Victory over the Rebellious Barons in his Father's time, as alſo his Conqueſt of *Wales* and *Scotland* ſufficiently declare it; and how much He was beloved by his Subjects, and his Death regretted by all ſorts of Men, appears by the ſeveral Lamentations, which the ſame Author ſuppoſes were made by all Orders and Degrees both of the Clergy and Laity, beginning with the Archbiſhops and Biſhops, and then proceeding to the Earls, Barons and Knights, and ending with the Lamentations of the Husbandmen and Tradeſmen, each Degree expreſſing wherein this King had been kind to and watchful over them, and wherein they were moſt ſenſible of his Loſs; which being very pathetical, I refer the curious Reader to peruſe, if he thinks fit.

I ſhall now, from the Hiſtory of his Reign, make ſome Obſervations upon his Failings and Imperfections; the Chiefeſt of which ſeems to have been his immoderate Ambition, by which (if the *Welſh* Hiſtorians may be credited) their Prince *Llewellyn* and his Subjects were oppreſſed to that Degree, that being forced to take up Arms to defend their Laws and Liberties, it gave the King an Occaſion (which He had long deſired) of making an entire Conqueſt of that Country.

So likewiſe his Wars with *Scotland*, (which cauſed the Effuſion of ſo much Bloud and Treaſure,) ſeem to have proceeded from the ſame Cauſe; for could He have been contented with that Homage and Submiſſion which *John Baliol* had made Him upon his Admiſſion to that Kingdom, and not ſo roughly cited Him to appear, and make his Defence in the Parliament of *England*, upon the Complaint of the Earl of *Fife* his Subject, King *Edward* might have obliged that King and his Dependants to have continued his Friends and Feudataries, and to have remain'd always firm to his Intereſt; whereas by thus exaſperating that Prince, and forcing him to take Arms, and confederate with the King of *France* againſt Him, as it gave our *Edward* an Opportunity of ſubduing that King, and ſeizing his Kingdom, ſo it alſo gave the *Scots* an Occaſion (being thus provoked by the too great Severity of the *Engliſh* Government) again to take up Arms, and make *Robert Bruce* their King, and thereby entailed an unfortunate War upon the two Kingdoms for many Generations.

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Another Fault of this Prince, was the great Difficulty He made in confirming the *Great Charters*, and granting the *Statute de Tallagio non concedendo*, and the *Deforeſtations* of thoſe Woods that had been taken into the Antient *Foreſts* contrary to Law; which coſt Him a great deal of Trouble and Diſpute with his Nobility and People, to the no ſmall Prejudice of his Affairs both at Home and Abroad: And which was worſe than all this, in the latter end of his Reign, He obtain'd the Pope's Bull of *Abſolution* from the Oath He had made to obſerve the late *Perambulations* of *Foreſts*, and reducing them to their Antient Bounds, upon pretence that it was got againſt his Will; and yet at the ſame time could complain to the Pope againſt the *Scots*, for obtaining the like *Abſolution* from their Oath to Himſelf, upon their alledging, That it was unjuſtly obtain'd from them by Dureſs and Compulſion. Thus Princes (as well as ordinary Perſons) are often ſo tranſported by Self-Love, That they judge of their own Actions by one Rule, and of thoſe that are any ways ſubject to them, or under their Power, by another.

The Iſſue of King Edward I.

BY his Firſt Wife, *Eleanor*, Siſter to *Alphonſo*, King of *Caſtile*, and Daughter of *Ferdinand* the *Third*, and his only Child by *Joanna* his Second Wife, Daughter and Heir of *John* Earl of *Pontive*, or *Ponthieu*, he had *John* his eldeſt Son, as alſo *Henry* and *Alphonſo*, who all died Young.

Sandford's Geneal. Hiſt. p. 130, 138. *Walſ. Mezeray. Mat. Weſt. Sandford. ut ſup.*

His Fourth Son by Her was *Edward*, born at *Caërnarvan* in *Wales*, (called therefore *Edward* of *Caërnarvan*) on St. *Mark*'s day, or Five and twentieth of *April*, in the Twelfth Year of his Reign, *A. D.* 1284. who Succeeded Him by the Name of *Edward* II.

Walſing.

By the ſame Queen He had Nine Daughters: *Eleanor*, Married to the Earl of *Bar* in *France*. The Second was *Joanna* of *Acres*, or *Acon*, in the *Holy-Land*, ſo called becauſe ſhe was there born, firſt Married to *Gilbert* of *Clare*, Earl of *Gloceſter*, and afterwards to *Ralph Monthermer*, without her Father's Conſent: She lived happily with him many Years, and died in the ſame Year with the King her Father. The Third was *Margaret*, Married to *John* Duke of *Brabant*. The Fourth and Fifth died in their Childhoods. The Sixth was *Mary*, a *Nun* at *Amesbury*. The Seventh was *Elizabeth*, Married to *John* Earl of *Holland*, *Zealand*, and Lord of *Frieſland*, who dying without Iſſue, She was afterwards Married to *Humphry de Bohun*, Earl of *Hereford*. **Beatrix* and *Blanche*, the Eighth and Ninth, died likewiſe in their Childhoods.

Sand. p. 139, 140, 141. *Walſ. Hypod. Neuſt.*

* *Sandford ut Supra* 144.

Iſſue by His Second Wife, Margaret, *Siſter to the King of* France, *Daughter to* Philip III. *Sirnamed* The Hardy.

T*Homas de Brotheron*, born at a ſmall Village of that Name in *Yorkſhire*, (from whence he was ſo called) on the Firſt of *June*, *A. D.* 1300. †He was created Earl of *Norfolk*, by his Half-Brother King *Edward* II. on the Sixteenth of *December*, in the Sixth Year of his Reign, and had then Granted unto him all the Caſtles, Mannors, and Land, in *England*, *Wales*, and *Ireland*, which *Roger Bigod* lately poſſeſſed, except thoſe his

Sandford p. 205.

† *Dugd. Baron.* 2d part. *p.* 65.

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his Widow had in *Dower*; and in the Ninth of the ſame King, was made Earl-Marſhal of *England*.

Ibm. p. 91.

Edmund of *Woodſtock*, born there on the Five and twentieth of *Auguſt*, *A. D.* 1301. and was created Earl of *Kent* in the Fifteenth Year of *Edward* II.

Sandford ut. ſup.

Eleanor, his Tenth and only Daughter by this Queen, died in her Childhood.

Taxes in this King's Reign.

Rot. Pat. 4 *Ed.* I.

IN the Fourth of his Reign, *A. D.* 1276. the King in Parliament, had a *Fifteenth* Granted Him by the Earls, Barons, Great Men and *Community* of the Kingdom; and by the Archbiſhop of *Canterbury* and his *Suffragans*, a Subſidy of their Goods (not ſaid how much) as a free Gift only, not to be urged or drawn into Example.

T. W. Hiſt. Ang. ſub. An. 1277.

In the Fifth of his Reign, the Laity gave Him the *Twelfth* Part of their Goods, towards carrying on the War in *Wales*.

Ib. An. 1283.

In the Eleventh of his Reign again, toward the War againſt the *Welſh*, the Laity gave Him a *Thirtieth*, and the Clergy a *Twentieth* Part of their Goods.

Int. Communia de Term. Mich. Rot. or. N. 5.

In the Eighteenth of his Reign, He had a *Fifteenth* of all their Moveable Goods, Granted by the Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, and all Others of the Kingdom or Government, as appears by the Chequer-Roll in the Ninteenth of *Edward* I. with the King's Remembrancer.

In the Two and twentieth of his Reign, the Prelates and Clergy granted the Moiety or Half of their Benefices, and Goods, to be taken One Third Part at the Feaſt of *All-Saints* next coming, a Second Third Part Fifteen days after *Eaſter*, and the Third Third Part Fifteen days after St. *John Baptiſt* then next coming.

Rot. Clauſ. 22. *Ed.* I. *M.* 6. *Dorſ. de Militibus eligend. & mittendis ad Concilium.*

In the ſame Year, at a Parliament or Great Council holden on the Twelfth of *November* at *Weſtminſter*, when Four Knights were Summon'd from every County, to conſult and conſent to ſuch things as the Earls, Barons, and Great Men ſhould Ordain, for Themſelves and the Communities of the Counties; upon the ſame day they met, *viz.* the Twelfth of *November*, and they gave the King a *Tenth* Part of all their Moveable Goods, *&c.* as appears by the Writ or Commiſſion for appointing Aſſeſſors, Taxors, and Collectors for the ſame *Tenth*.

22 Ed. I. *M.* 6. *Dorſ. in Cedula.*

And in the ſame Month, after the Sixteenth day thereof, the Guardian, Sheriffs, Aldermen, and whole Community of the City of *London*, Granted a *Sixth* Part of their Moveable Goods, as a Subſidy toward his War. The Writ or Commiſſion by which the Taxors and Collectors were appointed, bears Date the Six and twentieth of *November*, 23 *Ed.* I.

Int. Record. de An. 23. *Ed.* I. *Rot.* 73. *de ſexta Parte Regi conceſſa in* London.

In the ſame Month, and about the ſame time of it, there were Commiſſioners appointed to ask, require, and effectually induce in Perſon, the Men of all his *Demeſne*-Cities and Towns in all the Counties of *England*, by all ways they ſhould ſee expedient, to grant a *Sixth* Part, as *London* had done, That it might ſhew Example to others of his *Demeſne*-Towns.

A Parliament was Summoned to meet the Sunday after St. *Martin*, or Eleventh of *November*: The Writ bears Date the Third day of *October*; however it met not then, but was Prorogued before Meeting to the Sunday before St. *Andrew*, or Thirtieth of *November*; by a Writ dated the Second of *November* at *Odimer*. The Clergy in this Parliament gave the King a *Tenth*; the Earls, Barons, Knights, and * *Others of the Kingdom*, gave an *Eleventh*; and the Citizens and Burgeſſes, and other Good Men of his *Demeſnes*, gave Him a *Seventh* of their Moveable Goods; and the Warrant for the appointment of the Taxors and Collectors, bears Date the Fourth of *December*.

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Rot. Clauſ. 23 *Ed.* I. *M.* 4. *Dorſ. Ib. M.* 2.

* *Alii. de Regno.*

In the Four and twentieth, the Earls, Barons, Knights, and *Others of the Kingdom*, gave a *Twelfth* Part; the Citizens, Burgeſſes, and Tenants of his *Demeſnes*, gave an *Eighth* Part.

Int. Communia de Term. Sti. Mich. 25 *Ed.* I. *Rot. N.* 5. *Penes Remem. Reg.*

The Clergy gave nothing, by reaſon of an *Inhibition* the Archbiſhop had obtain'd from Pope *Boniface*; which *Inhibition*, or Bull, he cauſed to be publiſhed at this time in all the Cathedrals. See more of this matter in the Hiſtory.

Mat. Weſt.

In his Five and twentieth Year, He had an *Eighth* of all the Laity, and a *Tenth* of the Clergy, for the Confirmation of the *Great Charter*, and the Charter of the *Foreſts*. † *Walſingham* in his Hiſtory ſays, the Laity gave a *Ninth*, (which agrees not with the *Cloſe-Roll*, which ſays an *Eighth*) the Clergy of the Province of *Canterbury* gave a *Tenth*, and the Clergy of the Province of *York* a *Fifth*.

25 *E.* I. *M.* 6. *Dorſ.*

† *Sub. Anno.* 1297.

In the Nine and twentieth of his Reign, upon his Confirmation of the *Perambulations* of the *Foreſts*, the Laity gave Him a *Fifteenth* of their Moveables in the Parliament held at *London*, which they ſhould have at *Michaelmaſs* next coming. *Robert* Archbiſhop of *Canterbury*, would grant nothing for the Clergy without the ſpecial Licence of the Pope.

Rot. Peram. Foreſt. 29 *Ed.*I. *in Turre.*

* In the Thirty ſecond of his Reign, He being then in *Scotland*, as appears by the Dates of the Commiſſions at *Dumfermlyn* and *Strivelin*, to ſeveral Commiſſioners to Tax, Taliate, or Aſſeſs Taliage on Cities, Burghs, and on his *Demeſnes* in Cities and Burghs, either Capitation by Poll, or in Common, according to their Faculties and Wealth, as it might turn moſt to his Advantage.

* *Rot. Pat.* 32. *E.*I. *in Cedula.*

† In the Thirty third Year, the King having Summoned a Parliament at *Weſtminſter*, to raiſe Money for the War againſt the *Scots*, there was given Him by the Clergy, Nobility, and Knights of the Shires, the *Thirtieth* Penny of all their Moveable Goods; and at the ſame time, the Citizens and Burgeſſes gave a *Twentieth* part of the ſame Eſtates. In this Parliament alſo, the Archbiſhops, Biſhops, Prelates, Earls, Barons, and Other Tenants of his *Demeſnes*, Petition'd, That they might have Leave to Taliate their Tenants of the ſame *Demeſnes*, as He had Taliated them; and it was granted.

† *Rot. Clauſ* 33 *Ed.* I. *M.* 9. *Dorſ.* Ryley's *Placit. Parl. f.* 246. to 265.

About this time * He had a *Fifteenth* granted to Him in Parliament.

* *Ibm. f.* 260.

In the Four and thirtieth Year, the King intending to Knight his Eldeſt Son, Summoned the Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, and Other Great Men, to be before Him and his Council on the Morrow of *Holy-Trinity*, to treat of, and grant an Aid upon that occaſion. He alſo ſent to all the Sheriffs of *England*, to cauſe to come before Him and his Council Two Knights of every *County*, and of every *City* Two Citizens, and of every *Burgh* One or Two Burgeſſes,

Int. Communia Term. S. Trin. 34 *Ed.* I. *N.* 40. *Penes Remem.* Printed in Mr. *Petyt's Append.* to his Rights of the Commons, *&c.*

as

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as the *Burgh* was greater or leſs, *&c.* Theſe ſame Prelates, Earls, Barons, and Other Great Men, and alſo the Knights of Shires, Treating deliberately upon this Matter, and conſidering there was an Aid due as aforeſaid, and that many Burthens were incumbent upon the King, by reaſon of his War in *Scotland*, unanimouſly granted to the King for themſelves and the whole *Community* of the Kingdom, a *Thirtieth* Part of all their Temporal Moveable Goods, *&c.* for a Competent Aid toward the Knight-hood of his Son, and alſo for an Aid toward his Expences, which He was to be at in the War.

Ibidem.

Alſo the Citizens and Burgeſſes of Cities and Burghs, and Others of the King's *Demeſnes*, aſſembling together, and treating about the Premiſſes, conſidering the Burthens incumbent upon the King, *&c.* unanimouſly granted unto Him, for the Cauſes aboveſaid, a *Twentieth* Part of their Moveable Goods.

As for Eccleſiaſtical Aids, granted this King by the Pope, we find in the Chronicle of *Lanercoſt*, That *A. D.* 1391. (being the Eleventh of this King's Reign) Pope *Nicholas* the *Fourth* granted Him the *Tenth* of all Eccleſiaſtical Benefices, according to their true Value, upon Oath, throughout all *England*; to be received for the ſpace of Six Years next enſuing, for the Relief of the *Holy-Land* againſt the *Turks*.

AN ABSTRACT OF THE Principal Laws, ENACTED In the Reign of King *Edward* I.

I Shall begin with that remarkable Body of Laws, Entituled, *The Statute of* Weſtmiſtner *the* Firſt, ſo called, becauſe made there at his Firſt Parliament held after his Coronation, on the Octaves of *Eaſter*, in the Third Year of his Reign, by the Aſſent of the Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, and all the Commonalty of the Realm being thither Summoned.

CHAP. I.

In the Firſt Chapter, after the King's willing and commanding the Peace of Holy-Church, and of the Land, to be well kept in all Points, and that common Right be done to all Men, without reſpect of Perſons: He then proceeds to forbid all Great Men to oppreſs any Religious Houſes or Monaſteries, by Eating or Lodging in them without their own Conſent: Which Statute, ſince it is now obſolete, by the Diſſolution of Abbies and Monaſteries, I have only given you this ſhort mention of it.

CHAP. II.

That a Clerk, when taken as guilty of Felony, and demanded by the *Ordinary*, ſhall be delivered to him according to the Priviledge of Holy-Church, on ſuch Peril as aforetime has been accuſtomed. And the Biſhops are hereby admoniſhed, not to deliver any Indicted of ſuch Offence, without due Purgation.

CHAP. III.

That nothing be demanded, taken, or levied by the Sheriff or others for the Eſcape of a *Thief* or Felon, till it be adjudged an Eſcape by the Juſtices in *Eyre*, upon ſuch Penalties as are therein provided.

CHAP. IV.

Concerning Wrecks; 'tis provided, That if a Man, or any Living Creature, eſcape out of a Ship, ſuch Ship, and all that is in it, ſhall not be adjudged *Wreck*; and that the Goods therein, upon Suit, and Proof made by the Owner, within a Year and a Day, ſhall be forthwith reſtored to him; otherwiſe, if the time be lapſed, they ſhall remain to the King.

CHAP. V.

That no Great Man nor Other, by force of Arms or Menaces, upon great Forfeiture, ſhall diſturb any from making **free Elections**.

CHAP. VI.

* *Salvo Contenemento.*

That no City, Borough, nor any Man, be amerced without reaſonable Cauſe, and according to the Quality of the Perſon, and Quantity of his Treſpaſs; That is ſay, every Freeman ***ſaving** his Freehold, *&c.*

CHAP. VII.

This is now obſolete, but the Purport of it is, That no Conſtable, nor Caſtellane, ſhall exact any Prizes or Duties of any but ſuch as be of their own Town or *Caſtle*.

CHAP. VIII.

† *Beau-Pleader.*

The next is, againſt taking any thing for † *fair Pleading*, as had been prohibited in the time of King *Henry* the *Third*, his Father.

CHAP. IX.

That all Perſons ſhall be ready at the Summons of the Sheriffs, and Cry of the Country, to perſue and arreſt Felons; and thoſe that will not ſo do, and thereof be attainted, ſhall be grievouſly Fined to the King, with other Clauſes relating to Lords of Franchiſes, Bailiffs, Sheriffs, *&c.*

CHAP. X.

That through all Shires, ſufficient Men ſhall be choſen *Coroners*, of the moſt Diſcreet Knights, who may beſt attend upon that Employment; and he ſo choſen not to demand nor take any thing of any Man for doing his Duty, upon Pain of great Forfeiture.

CHAP. XI.

Whereas many had been indicted, and found guilty of Murther, by favourable Inqueſts, taken by the Sheriffs and the King's Writ *de Odio & Atia*, were bayled, till the coming of the Juſtices in *Eyre*; this provides, That for the future, ſuch Inqueſts ſhall be taken by Lawful Men choſen by the Oaths of Twelve Men, (of whom Two at leaſt to be Knights) as ſhall be unſuſpected of having any Affinity with the Priſoners.

CHAP. XII.

Notorious Felons, who refuſe Lawful Tryal, ſhall ſuffer ſtrong and hard Impriſonment; but not thoſe that are taken upon ſlight Suſpition.

CHAP. XIII.

None ſhall *raviſh*, or take away by force, any Maid within Age, either by, or without her Conſent, nor any Wife or Maid of full Age, nor any other Woman, againſt her Will: But this is to be proſecuted whithin Forty Days, or the Party loſes their Action.

CHAP. XIV.

The Acceſſory in an *Appeal*, ſhall not be *outlawed* before the Principal be attainted; how-be-it, none ſhall intermit to commence their Appeal at the next County, as well againſt the Acceſſory as againſt the Principal: But the *Exigent* againſt thoſe ſhall remain, until the other be attainted by *Outlawry*, or otherwiſe.

CHAP. XV.

Enacts what Perſons are not repleviable, or baylable by Common Writ, or without Writ, *viz.* Perſons outlawed, ſuch as have abjured the Realm, Approvers, and ſuch as be taken with the manner, Priſon-breakers, Thieves, openly defamed and known Appellees by Provers, (during the Life of ſuch Provers) Houſe-burners, Counterfeiters of the King's Seal or Coin, Excommunicate Perſons, manifeſt Offenders and Traytors.

CHAP. XVI.

None ſhall drive a Diſtreſs out of the County, or diſtrain wrongfully, or out of their Fee, on Pain of being grievouſly Puniſhed, according as the Statute of *Marlebridge*, *Cap.* 4. has provided in that Caſe; or more grievouſly, if the manner of the Treſpaſs ſo require.

CHAP. XVII.

If Beaſts be driven into a Caſtle or Fortreſs, and there withholden againſt Pledges offered, and not ſuffered to be replevied by the Sheriff, or other of the King's Bailiffs, (after convenient notice to the Detainer, *&c.*) the King for the ſaid Treſpaſs, and Deſpite, ſhall cauſe the ſaid Caſtle or Fortreſs to be demoliſhed; and (after the firſt demand made by the Sheriff or Bailiff) the Plaintiff ſhall recover double Damages againſt the Lord, or the Detainer; or, if the Detainer be not able, then of the Lord only.

CHAP. XVIII.

Gives Remedy againſt common Fines and Amercements, by providing, That from thenceforth ſuch Sums ſhall be aſſeſſed by the Juſtices in *Eyre* before their departure, by the Oaths of Knights and other honeſt Men, upon all ſuch as ought to pay them.

CHAP. XIX.

The Sheriff, having received the King's Debt, upon his next Account ſhall diſcharge the Debtor thereof, on Pain of Forfeiting *Treble* to the Debtor, and to make Fine at the King's Pleaſure. *Further* the Sheriff, if alive, or, if dead, his Heirs, ſhall anſwer all Moneys, which he, or thoſe he employs, receive: And if any other that is anſwerable to the *Exchequer* by his own Hands ſo do, he ſhall render Treble to the Plaintiff, and make Fine as before. And upon Payment of the King's Debt, the Sheriff ſhall give a Tally to the Debtor, and the Proceſs for Levying the ſame ſhall be ſhewed him upon Demand without Fee, upon Pain of being grievouſly puniſhed.

CHAP. XX.

Treſpaſſers in Parks or Ponds ſhall give Treble Damages to the Party grieved, ſuffer Three Years Impriſonment, be Fined at the King's Pleaſure, and give Surety never to offend again in the like kind. And if they can't find Surety, they ſhall Abjure the Realm, or being Fugitive, ſhall be Outlaw'd.

CHAP. XXI.

Guardians ſhall keep the Lands of Wards without Deſtruction, according to *Magna Charta*, C. 4. & 5. And ſo ſhall Archbiſhopricks, Biſhopricks, and all Spiritual Dignities be kept in time of their Vacation, or being Void.

CHAP. XXII.

This is concerning Female-Wards, and the Age whereat they ſhall be Married by their Guardians; But all Wardſhips being ſince taken away, we need mention no more of it.

CHAP. XXIII.

That in no City, Town, or other Place, any Foreign Perſon (who is in this Realm) ſhall be Diſtreined for Debt, unleſs he be Debtor or Pledge. And whoever does it, he ſhall be grievouſly puniſhed, and the Diſtreſs be delivered to him by the Bailiffs of the Place, or elſe by the King's.

CHAP. XXIV.

That if any Eſcheator, Sheriff, or other Bailiff of the King's, do, by colour of his Office, without ſpecial Warrant, Diſſeiſe any Man of his Freehold, *&c.* it ſhall be in the Diſſeiſee's Election, whither the King ſhall, upon Complaint, cauſe it to be amended, or the Diſſeiſee will Sue by Writ of *Novel Diſſeiſin*; but if the Diſſeiſor be Caſt, he ſhall Pay Double Damages, and be grievouſly Amerced beſides.

CHAP. XXV.

No Officer of the King ſhall maintain Plea of Lands, or other Things, to have part thereof, or other Profit by Covenant between them made, on Pain of being puniſhed at the King's Will.

CHAP. XXVI.

No Sheriff, nor other the King's Officer, ſhall take any Reward to do his Office, but ſhall be paid by the King; and if he do ſo, he ſhall pay Double, and be puniſhed at the King's Will.

CHAP. XXVII.

No Clerk ſhall take any thing for Delivering of *Chapters*, but only thoſe of the Juſtices Errants in their *Eyres*, and they to take but 2 *s.* and he that exacts more ſhall pay Treble as much as he hath taken, and loſe the Service of his Maſter for One Year.

CHAP. XXVIII.

No Clerk of the Kings, or any Juſtice, ſhall receive the Preſentment of any Church, for which any Debate is in the King's Court, without his ſpecial Licence, on Pain to loſe the Church and his Service: Nor ſhall any Juſtice or Sheriff's Clerk take part in any Suits, or uſe Fraud, whereby common Right may be Delayed, on Pain to be puniſhed as aforeſaid, or more Grievouſly, if the Treſpaſs require it.

CHAP. XXIX.

If any Serjeant, or Pleader, do Act, or Conſent to, any Deceit in the King's Court, to Beguile the Court or Party, upon being * *Attainted*, he ſhall be Impriſoned for a Year and a Day, and not ſuffered to plead in that Court any more: And if he be no Pleader, at leaſt he ſhall be Impriſoned for a Year and a Day. And if they deſerve greater Puniſhment, it ſhall be at the † King's Pleaſure.

* *i. e.* Convicted.

† *i. e.* According to the Judgment of his Court.

Officers, Cryers, and Marſhals of Juſtices in *Eyre*, ſhall not take Money, otherwiſe than they ought to do, on Pain to Pay the Treble thereof to the Complainants.

CHAP. XXX.

This provides Remedy againſt taking Exceſſive Tolls in Market-Towns, belonging either to the King, or Others, under the Penalties therein mentioned.

As alſo againſt Citizens or Burgeſſes, for taking more for the Charge of Murage of their Town than they ought by their Grant from the King or his Father; by loſing their Grant, and being grievouſly Amerced to the King.

CHAP. XXXI.

Is to Remedy the unjuſt taking of Victuals, *&c.* by way of Purveyance for the King's Uſe, Without Paying for them; and appoints certain Penalties upon thoſe that do ſo: But this being now grown obſolete, it is enough barely to mention it.

CHAP. XXXII.

That no Sheriff ſhall Countenance Barretors, or Stewards of Great Lords (unleſs they be Attorneys for their Lords) to make Suit, nor give Judgments in the Counties, *&c.* if not eſpecially required by the Suitors and their Attorneys; and if any do ſo, the King to puniſh both the Sheriff and Tranſgreſſor.

CHAP. XXXIII.

None is to Tell or Publiſh any Falſe or Scandalous News or Tales, whereby Diſcord may ariſe betwixt the King and his People, or the great Men of his Realm, on pain of Impriſonment until he bring forth the Author.

The Reader here may take notice, That upon this Statute, another Act was founded in the 2 *Ric.* 2. *cap.* 5. commonly know by the Name of *Scandalum Magnatum*, which we ſhall further ſpeak of in its due place.

CHAP. XXXIV.

None (except the King's Miniſters) ſhall within a Liberty Arreſt any Perſon paſſing through the ſame, and holding nothing thereof, for any Contracts, Covenants, or Treſpaſſes made or done out of ſuch Liberty, ou pain of paying double Damages to the Party grieved, and a grievous Fine to the King.

CHAP. XXXV.

25. *Ed.* III. *Stat.* 5. *cap.* 11.

Concerning reaſonable Aid to make the King's Eldeſt Son a Knight, and to Marry his Eldeſt Daughter, how much ſhall be taken from the King's Tenants for each kind, *&c.* But this is now taken away by the Statute of Wards and Liveries, 12 *Car.* 2. *Cap.* 24.

CHAP. XXXVI.

If any be Attainted *(i. e.* Convicted) of *Diſſeiſin* done in this King's time, with Robbery of Goods, or otherwiſe, the Diſſeiſee, by Aſſize of *Novel-Diſſeiſin*, ſhall recover his Seiſin and Damages, and the Diſſeiſor ſhall make Fine, whether he be preſent or not; but if preſent, he ſhall be committed.

CHAP. XXXVII.

An Attaint is granted in Plea of Land, Freehold, or any thing touching Freehold, when the King ſhall ſee it neceſſary.

CHAP. XXXVIII.

Seiſin of one's Anceſtor in a Writ of *Right* ſhall be from the time of King *Richard* I. In an Aſſize of *Novel-Diſſeiſin* and *Nuper obiit*, from *Hen.* III. his Voyage into *Gaſcoigne*: And in a *Mort-d'Anceſtor*, *Coſinage*, *Ayel*, and *Nieſe*, from the Coronation of *Hen.* III.

CHAP. XXXIX.

In Writs of Poſſeſſion, Intruſion, *&c.* whereby Land is demanded which ought to Deſcend, Revert, *&c.* if the Tenant vouch to Warranty, and the Demandant counterplead him, and aver by Aſſize, or by the Country, (as the Court ſhall award) that the Tenant or his Anceſtor (whoſe Heir he is) was the firſt that enter'd after the Death of him of whoſe Seiſin he demands, the Averment ſhall be receiv'd, if the Tenant will abide thereupon; but if not, he ſhall be compelled to another Anſwer, unleſs his *Warrantor* be preſent, who ſhall immediately enter into the Warranty: And the Demandant alſo may have the like Exception againſt the Vouchee, as he had againſt the firſt Tenant.

CHAP.

CHAP. XL.

The Champion of the Demandant ſhall not be compell'd in a Writ of Right to Swear, that he, or his Father, ſaw the Seiſin of his Lord, or his Anceſtor, and that his Father commanded him to *Deraign* the Right; but his Oath ſhall be kept in all other Points.

CHAP. XLI.

In a Writ of Aſſize, Attaints, and *Juris-Utrum*, after the Tenant has once appeared in Court, he ſhall not be Eſſoin'd.

CHAP. XLII.

Parceners, or Tenants jointly Enfeoffed, ſhall not *Fourch* by Eſſoin, that is, they ſhall have but one Eſſoin among them, at one day, as if they were one ſole Tenant.

CHAP. XLIII.

An * Eſſoin of *Ultra Mare* ſhall not be allowed, but made a Default, if the Demandant can prove that the Tenant was within the Four Seas, the Day of the Summons, and Three Weeks after. But this is only to be done before Juſtices.

* *i. e.* An Excuſe for being beyond Sea.

CHAP. XLIV.

That if the Tenant or Defendant make Default after the firſt Attachment returned, the great Diſtreſs ſhall be Awarded: And if the Sheriff make no ſufficient Return, he ſhall be Amerced. With other Clauſes how Returns ſhall be duly executed.

CHAP. XLV.

That one Plea ſhall be decided by the Juſtices of the *King*'s *Bench*, before another Matter be Arraigned, or Plea Commenced; but their *Eſſoins* ſhall be Entered, Judged and Allowed: Yet let none preſume to abſent himſelf at the Day appointed him.

CHAP. XLVI.

If a Writ of *Novel-Diſſeiſin* be Purchaſed, and the Diſſeiſor Die before the Aſſize be paſſed, the Heir ſhall have his Writ of *Entre ſur Diſſeiſin* againſt the Heir of the Diſſeiſor. The like Writs ſhall the Heir of the Diſſeiſee have, in caſe he Die, *&c.* And here Nonage of the Heir of the Diſſeiſor or Diſſeiſee ſhall not prejudice either of their Rights in Aſſize. The ſame Proviſion ſhall extend for the Right of Prelates, and other Religious Perſons, whether Diſſeiſees, or Diſſeiſors. And if the Parties come to an Enqueſt, and that paſſes againſt the Heir of the Diſſeiſee, he ſhall have an Attaint *Gratis*.

CHAP. XLVIII.

This prevents all Abuſes of the Chief Lords by their making Feoffments of the Lands of their Wards to their Diſheritance. But Wardſhips being ſince taken away, I only touch upon it.

CHAP.

CHAP. XLVII.

In a Writ of Dower, (*unde nihil habet*) the Writ ſhall not abate by the Exception of the Tenant, that ſhe has received her Dower of another before the Writ purchaſed, unleſs he can ſhew, that ſhe received part of her Dower of himſelf, and in the ſame Town, before the Writ purchaſed.

CHAP. XLIX.

This Chapter or Article, contains a **Saving** to the King of the Rights and Prerogatives of his Crown.

CHAP. L.

Aſſizes of *Novel-Diſſeiſin*, *Mort-d'Anceſtor*, and *Darrein preſentment*, ſhall be taken in *Advent*, *Septuageſima*, and *Quareſme*, or *Lent*, as well as Enqueſts, and that at the ſpecial Requeſt of the King made to the Biſhops.

As for thoſe that paſs under the Title of Statutes, ſuch as that of the *Extent* of a Mannor, and that of the Office of a *Coroner*, made, as the Book ſays, in the Fourth Year of this Reign; they being at beſt but *Ordinances* paſſed by the King and his private Council, I only mention the Titles of them.

Statut. de Bigamis.

Second Inſtit. p. 267, 268.

BUt for that of *Bigamy*, ſince I find in the Firſt Chapter of it theſe Words, (*Concordatum eſt per Juſtitiarios & alios Sapientes de Concilio Regni*) I will agree with my Lord *Coke*, That it was no Ordinance, but an Act made by Authority of Parliament.

The Four firſt Chapters whereof being now out of Date, I ſhall ſay nothing of them, but come to the Fifth, which gives Name to this ſet of Laws.

CHAP. V.

In perſuance of a Decree made in the Council of *Lyons*, by which all Perſons that had been twice Married (called *Bigami*) were excluded the Benefit of their Clergy; this Act declares, That whether they were *Bigami* before, or after the Decree, they ſhall not be delivered over to the Prelates, but Juſtice ſhall be Executed upon them as upon other Lay-People.

CHAP. VI.

The laſt Chapter concerning Warranty, being only about Matters of Form, and of little Uſe, I refer to the Statute-Book.

The Statute of Glouceſter, *made the Sixth of* Edward I.

THis Act, the Preamble ſays, was made to prevent the great Miſchiefs, Damages and Diſheriſons, which the People had before ſuffered through Default of the Law in divers Caſes. And therefore in

CHAP.

CHAP. I.

Damages are given in Aſſizes of *Novel Diſſeiſin*, as well againſt the Alienee of the Diſſeiſor, as againſt the Diſſeiſor himſelf; ſo that every one ſhall anſwer for his own time. And as for the reſt of the Chapter, concerning the Damages that a Diſſeiſee ſhall recover in Writs of *Entry* and *Novel Diſſeiſin* againſt him that is found Tenant after the Diſſeiſor; as alſo thoſe that ſhall be Awarded in Aſſizes of *Mort d'Anceſtor*, *Coſinage*, *Ayel* and *Beſayel*; and thoſe Coſts and Damages that ſhall be recovered by the Demandant; ſince they are Caſes now obſolete, or at leaſt but ſeldom occur, I only touch upon them.

CHAP. II.

This is in Favour of Infants; when they are to Sue for their Inheritance, that an Enqueſt ſhall paſs for them notwithſtanding their Nonage, and that without any Limitation of Time.

CHAP. III.

Whereas before this Statute, the Heir of Tenant by Courteſie was Debarred of his Inheritance, by reaſon of the Warranty of his Father deſcending upon him; this Act provides, That where Tenant by Courteſie aliens his Wife's Land, his Son having no Aſſets by Deſcent, ſhall not be Barred from Recovering the Land by a Writ *de Mort d'Anceſtor* of the Seiſin of his Mother, altho' the Father had obliged himſelf and his Heirs by his Deed to Warranty. The reſt is too tedious to be here inſerted.

CHAP. IV.

This Chapter, concerning Free-Farmers not paying *Eſtovers* for Two or Three Years together, in lieu of Rent, being now obſolete, I ſhall ſay no more of it.

CHAP. V.

An Action of Waſt is maintainable againſt Tenant by the Courteſie, *in Dower*, for Life, or Years; and the Party Attainted thereof ſhall loſe the thing Waſted, and recompence Thrice ſo much as ſuch Waſt is Taxed at. And as for Waſt done in the time of Wardſhip, *Mag. Char. C.* 4. ſhall be Obſerved; and beſides, the Guardian ſhall recompence the Heir for the Waſt done, if the Wardſhip loſt do not amount to the value of the Damages before the Heirs full Age.

CHAP. VI.

This is concerning the Right of an Heir to recover by a Writ of *Mort d'Anceſtor*: But it is now out of uſe, and therefore I only mention it.

CHAP. VII.

If a Woman alien her Dower in Fee, or for Life, the Heir, or he to whom the Land ought to revert after her Death, ſhall immediately Recover by a Writ of Entry in the *Chancery*.

CHAP. VIII.

The chief Matter in this is, That none ſhall have Writs of Treſpaſs before Juſtices, unleſs he will Swear, That the Goods taken away were worth Forty Shillings at leaſt: There are ſeveral other Rules concerning Pleas in Treſpaſs, which ſince they relate only to Matters of Practice, I refer to the Statute.

CHAP. IX.

This takes away all Writs of Enquiry for the Death of a Man, whether he was Slain by Misfortune, or in his own Defence, or otherwiſe, without Felony; and preſcribes a better Courſe for the ſpeedy bringing to Tryal all ſuch Offenders, by keeping them in Priſon till the coming of the Juſtices in *Eyre*, or Gaol-Delivery; who having put them upon their Country, and upon finding it *Per Infortunium*, or, *Se Defendendo*, the Juſtices making ſuch Report to the King, He † ſhall take them to his Grace.

† *i. e.* Pardon them.

CHAP. X.

The Huſband and Wiſe being Impleaded in the King's Court, ſhall not † *Fourch* by Eſſoin, no more than Parceners, or two that hold in Common. *Vid. Weſtminſt.* I. *Cap.* 42.

† *i. e.* Prolong an Action.

CHAP. XI.

Provides againſt the Fraud or Colluſion of the Tenant of a Freehold within the City of *London*, that he ſhall not by a feigned Recovery defeat the Title of him that holds under him for Term of Years. But this being particular as to that City, I enlarge no more on it, but leave thoſe concerned to the peruſal of the whole Chapter.

CHAP. XII.

Gives Remedy to a Tenant in *London*, Vouching a Foreigner to Warranty, to have a Writ out of *Chancery*, to Summon his Warrantor before the Juſtices at a certain day, and another Writ to the Mayor, *&c.* to Surceaſe the Matter before them, till the Plea of the Warranty be determined in the Bench: Then the Plea to be returned into the City, *&c.* which I paſs by further mentioning for the ſame Reaſon. But there is a Correction of this Chapter in the Statute-Book, which immediately follows the Statute of *Mortmain*, to which I refer the curious Readers for their better Satiſfaction.

CHAP. XIII.

When a Plea is moved in the City of *London* by Writ, the Tenant ſhall make no Waſt or *Eſtrepement* of the Land, hanging the Plea; or if he do, the Mayor, *&c.* ſhall cauſe it to be kept at the Suit of the Demandant. The ſame Law to be obſerved throughout the Realm.

CHAP. XIV.

Provides Remedy for Diſſeiſees in *London*, *viz.* Damages by Recognizance of the ſame Aſſize, whereby they recovered their Lands; and the Diſſeiſors to be Amerced before two Barons of the *Exchequer*, who are to reſort into the City to do it. And the Amerciaments to be Levied by Summons of the *Exchequer* to the King's uſe.

CHAP. XV.

The Mayor and Bailiffs (now the Sheriffs) of *London*, before the coming of the Barons, (after *Candlemaſs* Term) ſhall enquire of Wines Sold againſt the Aſſize, and preſent it to them when they come, and the Defaulters to be Amerced; whereas they were wont to tarry till the coming of the Juſtices in *Eyre*. Obſolete.

Then follow certain Expoſitions made upon ſome of the Articles of this Statute of *Glouceſter* abovemention'd, which you may ſee in *Raſtal*, *&c.*

A Statute forbidding bearing of Armour, made 7 Edw. I.

THis provides againſt Men's coming to Parliaments, Treaties, and other Aſſemblies, with Force and Armour; and declares, as the Senſe of the Prelates, Earls, Barons, and the Communalty of the Realm in Parliament, That it belongs to the King to prohibit all ſuch Force, and all other Force againſt the Peace, and to puniſh Offenders therein according to Law: And herein every Subject is bound to be Aiding.

But this being the King's Writ Directed to the Juſtices of his Bench, commanding them to cauſe theſe Things to be Read before them, and Enrol them in their Court; it ſeems doubtful, whether it was not rather a Declaration of the Parliament of the Antient Law in this Point, than any new Statute concerning it.

The Statute of Mortmain, *made* 7 Edw. I.

IF Lands be any way alienated in *Mortmain* to a Religious Perſon, or other, the King or other immediate Lord, may enter within a Year after ſuch Alienation; and if ſuch Lord neglect it, the next Lord to him may enter within half an Year after; and if all the mean Lords (being of full Age, within the four Seas, and out of Priſon) neglect to do it, after the Year the King may enter upon thoſe Lands.

The New Statute of the Exchequer, *otherwiſe called, The Statute of* Rutland, *made* 10 Edw. I.

Note, *This was not a Statute but an Ordinance, ſays* Plouden, *P.* 209. a. *But the L. C. J.* Coke *is of another Opinion,* 2 Inſtit. 551.

PRovides, that from thenceforth the Bodies of Shires ſhall not be written in ſeveral Rolls, but in a certain Annual Roll by themſelves, which ſhall be Read every Year upon the Accounts of Sheriffs.

There are alſo ſeveral other Articles, which ſet forth the Rules appointed for the manner of the Sheriff's paſſing their Accounts of the the King's Revenue to the Treaſurer and Barons of the *Exchequer*; which not being of general Uſe, I ſhall forbear ſpeaking further of them; But come to

The Statute of Acton Burnell, *made* 13 Edw. I.

AND this Statute, ſince it only provides a Remedy for Merchants to Recover their Debts by Recogniſances in *London*, *York*, or *Briſtol*, (then the Three great Capital Cities of Trade in *England*) and not for the People of the Kingdom in general: I ſhall not mention any more of it, but refer the Reader that has a mind to peruſe it, to the Statute it ſelf; and ſo paſs on to that other great one, called,

The Statute of Weſtminſter *the* Second, *made in the ſame 13th Year of* Edw. I. *This is likewiſe known by another Name,* viz. *The Statute,* De Donis Conditionalibus, *being that remarkable One that firſt Created Eſtates-Tail, and Ordained,*

CHAP. I.

THat the Will of the Givers of Lands (according to the Form in the Deed of Gift manifeſtly expreſſed) ſhall be from thenceforth obſerved; ſo that they to whom the Land was given under ſuch and ſuch Conditions expreſſed in the Statute, ſhall have no Power to alien that Land ſo given, but it ſhall remain to their Iſſue after their Death, or revert to the Giver, or his Heirs, if Iſſue fail; Nor ſhall the Second Husband of any Woman have any thing of the Land given upon Condition, (after the Death of his Wife) nor the Iſſue of ſuch Second Husband and Wife ſhall ſucceed in the Inheritance; but immediately after the Death of the Husband and Wife, unto whom the Land was given, it ſhall return to the Iſſue of the Giver, or his Heirs.

And a new Remedy is provided in this new Caſe, by a Writ of *Formedon in Deſcender*, which is therein ſet down at large.

This Act ſhall extend only to Gifts that are *hereafter* to be made. And a Fine *hereafter* to be Levyed upon ſuch Lands, ſhall be void in Law; neither ſhall the Heir, or Reverſioner (tho' of full Age, within *England*, and out of Priſon) need to make their Claim.

This Part concerning Fines has been quite altered by ſeveral ſucceeding Statutes, as 4 *H.* VII. *C.* 24. & 32 *H.* VIII. *C.* 36. which, if I live ſo long, I ſhall particularly take notice of, under thoſe Reigns.

CHAP. II.

Provides, That where, upon Replevins, Lords cannot obtain Juſtice in Counties, and other Inferiour Courts againſt their Tenants, when ſuch Lords are Attached at their Tenants Suit, a Writ of *Recordare* ſhall be granted them to remove the Plea before the Juſtices, where Juſtice ſhall be done them; and the Cauſe ſhall be inſerted in the Writ, *viz.* Becauſe ſuch a Man Diſtrained in his Fee for Services and Cuſtoms due to him.

The Reſt of the Statute only preſcribes the Rules how to recover in ſuch Actions, and gives Directions to Sheriffs and Bailiffs what to do therein, under the Penalties there mentioned, and what other Remedies the Plaintiffs may have in caſe of default, for which I refer you to the Act.

CHAP. III.

A Writ of *Entry* (called *Cui in vita*) is given to the Wife for the Recovery of her Land, loſt by the default of her Husband in his Lifetime; and during his Life, ſhe ſhall alſo be admitted to defend her Right, provided ſhe come in before Judgment.

The like Priviledge is given to the Reverſioner, where the Tenant in Dower, by the Curteſie, for Life, or by Gift, doth loſe by Default, or wilfully yield up the Land.

CHAP. IV.

The Wife ſhall be endowable as well where Land was *recovered* againſt her Husband by Default, as by Covin; ſo that albeit the Land was loſt by the Husband's Default, yet that ſhall be no good Allegation for the Tenant, but he muſt then proceed, and ſhew his Right, otherwiſe the Wife ſhall recover.

The reſt of the Act ſhews, how Tenants in Dower, Frank-mariage, *&c.* when they loſe their Land by Default, may vouch the Reverſioner, if they have any Warrant: With ſeveral Directions what Plea and Proceſs they ſhall make uſe of for the Recovery of their Right.

CHAP. V.

Uſurpations of Churches during Wardſhip, Particular Eſtates, Coverture, or Vacancy, ſhall not bar the Heir at full Age, the Reverſioner, or Remainder-man in Poſſeſſion, the Feme diſcovert, or a Spiritual Perſon in Succeſſion, from having the Writ of Advowſon poſſeſſory, *viz. Quare Impedit*, or an Aſſize of *Darrein Preſentment*, as their Anceſtor or Predeceſſor might have had, if the Uſurpation had happened in their time: But before this Act, they were (in ſuch Caſes) put to their Writ of Right of Advowſon: The reſt of the Statute is taken up in preſcribing Forms of Pleadings, and Proceſs in *Darrein Preſentment*, *Quare Impedit*, and other Caſes of like Nature, whether by Coparceners, or any other ſort of Patrons.

CHAP. VI.

As the Tenant ſhall loſe the Land in demand, where the Vouchee diſchargeth himſelf of the Warranty; ſo ſhall the Warrantor loſe, where he denieth his Warranty, if found on Tryal againſt him that he is ſo bound. And where an Enqueſt is depending between the Tenant and the Warrantor, and the Demandant will require a Writ to cauſe the Jury to come, it ſhall be granted him.

CHAP. VII.

This is only concerning the Writ of Admeaſurement of *Dower* by a Guardian; but the Heir *at full Age* ſhall not be barred by that Suit, where it is Proſecuted by Colluſion, *&c.*

CHAP. VIII.

Shews what Remedy the Plaintiff ſhall have in a Writ of Admeaſurement of Paſture, upon the Second overcharge, if the Paſture was admeaſured before the Juſtices; and what remedy there is if the Admeaſurement were made in the County; and how to prevent Fraud in the Sheriff.

CHAP. IX.

Provides what Remedy the Chief Lord ſhall have againſt the Meſne-Tenant for Rent or Services: But this is now obſolete and wholy out of uſe, partly by taking away Tenures, and eſpecially by the Chief Lords parting with their Rent and Services of ſuch Tenants; and therefore it is needleſs further to enlarge upon it.

CHAP. X.

Any Perſon may make a general Attorney to Sue in all Pleas, during the Circuit of Juſtices in *Eyre*; Howbeit, that ſhall not excuſe the Party from being put upon Juries and Aſſizes before the ſame Juſtices.

It likewiſe preſcribes within what time Juſtices in *Eyre*, or *Itinerant*, ſhall appoint all Writs to be delivered in to them; and then the Sheriff ſhall certifie the Chief Juſtices in *Eyre* how many Writs he hath, and what they concern: Of which we need ſay no more in this Place.

CHAP. XI.

Servants, Bailiffs, or other Accountants, that are found in Arrears by Auditors aſſigned by their Maſters, upon the Teſtimony of the ſame Auditors, ſhall be committed to the next Jayle, and there remain in ſafe Cuſtody at their own Coſts, until they ſhall have ſatisfied their Maſters. The reſt gives remedy to the Accountants, if they find themſelves aggrieved by the Auditors, by appealing to the Barons of the Exchequer, who are to do Juſtice therein; and alſo what Proceſs ſhall go out againſt the Accountant, if he flies or will not come to Account.

CHAP. XII.

Upon a falſe Appeal by Malice, the Appealor ſhall ſuffer a Years Impriſonment, make fine to the King, and recompence Damages to the Appellant at the diſcretion of the Juſtices. But if the Appealor is not able to Pay Damages, and an Abettor (through malice) is found by the ſame Inqueſt, ſuch Abettor ſhall alſo be puniſhed by Impriſonment and Reſtitution of Damages, as before.

CHAP.

CHAP. XIII.

Sheriffs, Bailiffs of Franchiſes, and others that take Enqueſts of Malefactors, ſhall do it by at leaſt Twelve Lawful Men, who ſhall put their Seals to ſuch Inquiſitions; and the ſaid Officers ſhall impriſon ſuch Malefactors. If they impriſon any without ſuch Enqueſts, the Party grieved, ſhall maintain an Action of falſe Impriſonment againſt them.

CHAP. XIV.

The Proceſſes in an Action of Waſt ſhall be Summons, Attachment and Diſtreſs; and if the Defendant appear not upon the Diſtreſs, a Writ of Enquiry ſhall be directed to the Sheriff to enquire of the Waſt; upon return whereof, the Court ſhall proceed to Judgement, according to the Statute of *Gloceſter* Cap. 5.

CHAP. XV.

If an Infant be * eloigned, ſo that he cannot ſue Perſonally, his *Prochein Amy* ſhall be admitted to ſue for him.

* *I. e.* taken away or kept conceal'd.

CHAP. XVI.

Appoints (where an Inheritance deſcends to an Infant of the Father's ſide, that held of One Lord, and the Mother's ſide that held of another Lord) which Lord ſhall have the Mariage of ſuch Infant. But this is now taken away by the Statute of 12. *Car.* II. C. 24. That deſtroyed Wardſhips.

CHAP. XVII.

In the Circuit of the Juſtices, an *Eſſoin de malo lecti*, lieth not for Lands in the ſame County, unleſs the Party be Sick indeed; for if at the Inſtance of the Demandant, it be proved by Enqueſt that the Tenant is not Sick, the *Eſſoin* ſhall be turned to a Default. But ſuch an *Eſſoin* ſhall not lie in a Writ of Right between Two claiming by One Deſcent.

CHAP. XVIII.

He that recovers Debt or Damages in the King's Court, may at his choice have a Writ to the Sheriff of *Fieri facias* of the Lands and Chattels of the Debtor (except Oxen and Plough-Beaſts) and the Moiety of his Land, by a reaſonable Extent, till the Debt be levied; and if he be ejected out of the Land, he ſhall have an Aſſize, and afterwards a Writ of Diſſeiſin, if need be. And this laſt Writ is called an *Elegit*.

CHAP. XIX.

The Goods of an *Inteſtate*, dying in Debt, ſhall be diſpoſed of by the *Ordinary*, to diſcharge it. But ſince at this day, Letters of Adminiſtration are uſually granted either to ſome of the Kindred, or Creditors, I ſhall here no more enlarge upon it.

CHAP. XX.

In Writs of *Coſinage*, *Ayel* and *Beſayel*, the Tenants Anſwer, That the Plantiff is not next Heir of the ſame Anceſtor, by whoſe Death he demandeth his Land, ſhall be admitted and enquired; and according to the ſame Inquiſition, the Juſtices ſhall proceed to Judgment.

CHAP. XXI.

A *Ceſſavit* is hereby given to the Chief Lord againſt his Freehold-Tenant, that with-holds his accuſtomed Service *per biennium*. It is likewiſe maintainable by the Heir of the Demandant, againſt the Heir or Aſſignee of the Tenant.

CHAP. XXII.

An Action of Waſt ſhall be maintainable *againſt* One Tenant in Common, againſt another of Wood, Turf, Land, Fiſhing, or the like; and when the Cauſe comes to Judgment, the Defendant may chuſe either to take his Part in a certain Place (to be ſet out by the Sheriff with a Jury) or grant to take nothing, but as his other *Pernors* do: And if he chuſe to take his Part in a Place certain, the Place waſted ſhall be aſſigned for his Part. See the Writ in the Statute.

CHAP. XXIII.

Executors ſhall have a Writ of Account, and like Action, and Proceſs in the ſame Writ as their Teſtator ſhould, if he had lived.

CHAP. XXIV.

A Writ of Nuſance ſhall be grantable, as well againſt the Alienee, as againſt the Party that firſt made it: When it is againſt the Party himſelf, it ſhews how the Writ ſhall run; and how to be altered, when it is againſt the Alienee. In like manner, a Parſon of a Church may recover Common of Paſture by a Writ of *Novel Diſſeiſin*; ſo his Succeſſor ſhall have a *Quod permittat* againſt the Diſſeiſor or his Heir, though there never was ſuch a Writ granted out of the Chancery before. The next Clauſe gives the Clerks of Chancery a Power to frame a new Writ, where the Law has not expreſly provided one before, or the Plaintiffs may adjourn it till the next Parliament.

CHAP. XXV.

An Aſſize of *Novel Diſſeiſin*, ſhall lie for Eſtovers of Wood, Profits to be taken in Woods, Corrody, and other Proviſions; and the like Proceſs for other things. Which being now out of uſe, I ſhall forbear mentioning more of it.

The ſame Writ ſhall likewiſe be had, if any holding for Years, or in Ward, alien the Fee; and both the Feoffors and Feoffees ſhall be taken for Diſſeiſors; but if the Parties Die, the Remedy ſhall be by Writ of Entry; with other things relating to Proceſs, needleſs here to be further inſerted.

CHAP.

CHAP. XXVI.

In Writs of Rediſſeiſin, double Damages ſhall be awarded, and the Rediſſeiſors ſhall not be repleviable by the Common Writ. And the like Remedy is provided for thoſe that have recover'd by Default, Reddition, or otherwiſe, without Recognition of Aſſizes or Juries.

CHAP. XXVII.

An Eſſoin ſhall be allowed the next day after Enqueſt taken; but none at any of the other days following, nor after day given, *Prece partium.*

CHAP. XXVIII.

In Aſſizes after Appearance, the Demandant ſhall not be eſſoined.

CHAP. XXIX.

A Writ of Treſpaſs, *ad audiendum & terminandum*, ſhall not be granted, but before the Juſtices of either Bench, or Juſtices in *Eyre*, unleſs it be for ſome heinous Treſpaſs, which requires ſpeedy Remedy: But a Writ to hear and determine Appeals before Juſtices aſſigned, ſhall not be granted, but in a ſpecial Caſe, and for a Cauſe certain, and that at the King's Command.

CHAP. XXX.

Two Juſtices ſhall be aſſigned, before whom and no other Aſſizes of *Novel diſſeiſin*, *Mort d'Anceſtor* and *Attaint*, ſhall be taken; and ſhall aſſociate with them, One or Two of the Diſcreeteſt Knights of the County for that purpoſe. And certain Days are therein appointed for their ſitting: Which way of Tryal is now become quite obſolete, ſince the conſtant coming of the Juſtices of Aſſize and Jayl-delivery into the ſeveral Counties, for the diſpatch of all Buſineſs of that nature.

CHAP. XXXI.

When the Juſtices will not allow a Bill of Exception upon Prayer, if the Party impleaded tender the ſame unto them in Writing, and require their Seals thereunto, they or one of them ſhall do it. And if, upon Complaint thereof to the King, the Exception ſo Sealed be not found in the Roll, the Juſtice ſhall be ſent for, and if he cannot deny his Seal, the Court ſhall proceed to Judgment according to the Exception.

CHAP. XXXII.

Eccleſiaſtical Perſons are hereby debar'd from taking Land in *Mortmain* by way of Colluſion, without the King's Licence; and therefore each mean Lord hath Six Months given him to enter after the Lord next before him, until it come to the King.

CHAP. XXXIII.

The Priviledges of ſetting up Croſſes upon Lands, uſed by the Knights-Templars and Hoſpitalers, to defend the Tenants againſt their Chief

Lords, are hereby taken away, and the Lands forfeited in like manner as thoſe aliened in *Mortmain*.

CHAP. XXXIV.

If a Man raviſh a Woman Married, Maid, or other, without her Conſent, either before or after, he ſhall have Judgment of Death.

And where a Woman, of what quality ſoever, is raviſhed, albeit ſhe conſent after, yet he, upon being attainted thereof, ſhall have like Judgment as before; and here the King ſhall have the Suit.

As alſo of Women carried away with the Goods of their Huſbands, the King ſhall have the Suit for the Goods ſo taken away.

But if ſhe willingly leaves her Huſband, and goes away, and continues with her Advowterer, ſhe ſhall be barred from her Dower, unleſs her Huſband be willingly reconciled to her, and ſuffer her to dwell with him.

CHAP. XXXV.

Gives a Penalty againſt thoſe that ſhall raviſh or carry away Wards, either Male or Female: But Wardſhips being now taken away by the Statute of the 12th of *Charles* II. *Chap*. 24. I ſhall ſay no more of it.

CHAP. XXXVI.

None ſhall procure any to diſtrain another to make him appear at the County-Court, or any other inferior Court, on purpoſe to vex him, and put him to Charge and Trouble; on pain to make Fine to the King, and to pay to the Party grieved treble Damages.

CHAP. XXXVII.

No Diſtreſſes ſhall be taken, but by Bailiffs ſworn and known; on pain to reſtore Damages to the Party grieved, and to be grievouſly fined to the King.

CHAP. XXXVIII.

No more Jurors ſhall be Summoned in One Aſſize, than Twenty four; Old Men above the Age of Seventy, or Sick, or diſeaſed, or that live out of the County, ſhall not be put on Juries of Petty-Aſſizes. There is alſo appointed what Land Jury-men ought to have, to qualify them to be impanelled: But this has been ſince altered by later Statutes, and therefore is now become obſolete.

CHAP. XXXIX.

Is to prevent the ill Execution and falſe Return of Writs by Sheriffs and their Bailiffs, with the Penalties they ſhall incur for the ſame: But this relating wholy to matters of Proceſs, I ſhall leave thoſe concerned to conſult the Statute at large.

CHAP. XL.

The Suit of a Wife or her Heir, after the Death of her Huſband, ſhall not be delayed by the Minority of the Heir, who ought to warrant the Land.

CHAP. XLI.

If Lands are given to Religious Houſes or Hoſpitals, for Alms or any other Pious uſe, and they are alienated by the *Donees*, the King, if He be Founder, may ſeize them for his own Uſe; with other things, which now ſignify nothing to us.

CHAP. XLII.

Contains an Account of ſeveral antient Fees of Marſhals, Chamberlains, Porters of Juſtices in *Eyre*, and Serjeants bearing a **Verge* before the Juſtices at *Weſtminſter*.

* *i. e.* a Rod or Mace.

CHAP. XLIII.

Hoſpitalers and *Templars* ſhall draw none into Suit before the Keepers of their Priviledges; neither ſhall their Keepers cite any, to the prejudice of the King or his Crown.

CHAP. XLIV.

Appoints what Fees the Vergers, before the Juſtices of Common Pleas in their Circuits, and alſo the Chirographers and Clerks, writing Writs Original and Judicial, ſhall take; but theſe are ſince altered by other Statutes.

CHAP. XLV.

Writs of Execution ſhall be within the Year, as alſo all things Recorded before the King's Juſtices, (whether Contracts, Covenants, *&c.*) and after the Year a *Scire facias* ſhall be awarded; whereupon, if Satisfaction be not made, or good Cauſe ſhewn, the Sheriff ſhall be commanded to do Execution.

CHAP. XLVI.

The Statute of *Merton* ſhall not only bind the Lords Tenants, but Neighbours alſo, that claim Common of Paſture as appurtenant to their Tenements; but if any claim Common by ſpecial Feoffment or Grant for a certain number of Beaſts, or otherwiſe, which is due to him of common Right, he ſhall recover the ſame according to the form of ſuch grant; with other things, for which I refer to the Statute.

CHAP. XLVII.

Appoints when *Salmons* ought not to be taken, nor young *Salmons* with Nets or other Engins at Mill-pools; and the Penalties for ſo doing, for the Firſt, Second and Third Offence.

CHAP. XLVIII.

In what Caſes view of Land ſhall, and ſhall not be granted; which is now in great meaſure grown out of Date.

CHAP. XLXIX.

No Chancellor, Treaſurer, Juſtices, or any of the King's Council, Clerks of Chancery, Exchequer, *&c.* ſhall receive any Church, or

Advouſon, Land or Tenement, in Fee by Gift, by Purchaſe to Farm, by Champerty or otherwiſe, ſo long as the ſame thing is in Plea; nor ſhall take any Reward thereof, on pain of being puniſhed at the King's Pleaſure, both Buyer and Seller.

CHAP. L.

And in all theſe Statutes, where the Law faileth, leſt Suitors ſhould depart from the King's Court without Remedy, new Writs ſhall be provided in their Caſes. 2. *Inſtit.* 485.

The Statute of Wincheſter, *made the ſame 13th of* Edw. I.

CHAP. I.

THat upon a Robbery committed, freſh Suit or Hue-and-cries ſhall be made in all Counties, Markets and Fairs: With ſeveral Directions therein preſcribed for the more eaſy Apprehending of ſuch Felons, and other Particulars now grown obſolete; for which I refer to the Six Chapters in the Act.

The Statute of Merchants, made likewiſe at Weſtminſter, *the 13th of* Edw. I.

THis Statute was only made for the farther Explanation and Confirmation of that of *Acton-Burnell*, made in the Eleventh Year of this Reign; the Purport of which I have there given you, and therefore I ſay no more of it.

The Statute of Circumſpectè agatis, *made alſo the ſame 13th of* Edw. I.

THis being only to except ſeveral Offences, in Matters Eccleſiaſtical, from having any *Prohibitions* brought in the Civil Courts againſt them; and it being alſo doubtful, whither it be an Act of Parliament, or only a Writ directed to the Judges, how to proceed in Caſes of that nature; I will ſubmit to my Reader, to determine as he ſhall think fit.

The Statute de Quo Warranto, *made the 18th of* Edw. I.

THis Act was to prevent the Abuſe of the King's Officers from bringing this Writ againſt his Subjects, for Lands or Liberties ſuppoſed to be detained from the Crown; and therefore limits thoſe Writs to be brought within a certain Time, and according to certain Methods therein preſcribed. But this is now become obſolete, and there is no need of ſaying any farther of it.

There alſo follows (what is called) a New Statute of *Quo Warranto*, made likewiſe very ſoon after, to explain the former: But this ſeems only to be a Declaration of the King and his Council, and no real Statute.

The Statute of Weſtminſter *the* Third, *made the 18th of* Edward I.

IN all Feoffments to One and his Heirs, the Feoffee ſhall hold his Land of the Chief Lord of the Fee, by the ſame Services and Cuſtoms as the Feoffor held before.

And if the Feoffment be made of Parcel, he ſhall hold of the Chief Lord according to the quantity of the Land; and the Feoffor ſhall be ſet free for that part.

The reſt is to prevent ſuch Lands from coming into *Mort-main.*

The Statute de Judaiſmo, *made the ſame Year of* 18 Edw. I.

THE *Jews* were hereby prohibited from taking any Uſury for Money; which very much facilitated the total Expulſion of them not long after. *Co. 2d Inſtit. p. 506.*

The Statute de modo Levandi Fines, *made likewiſe the ſame Year.*

THis Statute (as it is here called, though it looks more like a Rule of Court) preſcribes the antient manner of levying of Fines, and the force and effect of them: But it is now altered and taken away by ſeveral ſubſequent Statutes.

The Statute of Vouchers, *made the 20th of* Edw. I.

THis is to prevent the Frauds that were uſed by Vouchers to Warranty; and therefore it is commanded, That whatſoever Tenant do vouch, and the Demandant will aver, That neither the Vouchee nor his Anceſtors had ever any thing in the Land, ſo as to make a Feoffment with Warranty, his Averment ſhall be admitted, whether the Party vouched be abſent or preſent, without any Reſpect had thereunto.

The Statue of Waſt, *made the ſame 20th Year,*

PRovides, That an Action of Waſt ſhall be maintainable by the Heir, for Waſt done in his Anceſtor's time, as well as for that done in his own.

The Statute of defending Right, *made the 20th of* Edw. I.

THis is to remove the Abuſes occaſioned by a Statute formerly made by this King, concerning a Stranger's pretending Right to Lands in queſtion between Two other Parties, before Judgement, by a Collateral Title; and therefore provides, That before ſuch Stranger be received, he ſhall find ſufficient Sureties (as the Court will award) to ſatisfy the Demandant the Value of the Lands ſo to be recovered, from the day that he is ſo received, till final Judgment be given for the De-

Demandant. And if the Demandant recover, the Defendant ſhall be greivouſly amerced; and if he have not whereof to ſatisfy, he ſhall be Impriſoned at the King's Pleaſure; but if he can prove his Right, he ſhall be acquitted.

The Statute of Perſons to be put in Aſſizes, *the ſame Year.*

NOne ſhall be Impannell'd to ſerve out of their proper Counties, unleſs they have Land worth 5 *l. per Annum* at leaſt; nor within the County, unleſs they have Land worth 40 *s. per Annum.*

But this Statute does not extend to Juries taken before Juſtices Errant, nor to Corporations; but that they may do as in times paſt.

The Statute of Treſpaſſers in Parks, *made the ſame Year.*

NO Foreſter, Parker or Warrener, ſhall be queſtioned for killing a Treſpaſſer, who (after the Peace cryed unto him) will not yield himſelf; ſo it be not done out of ſome other former Malice.

The Statute upon the Writ of Conſultation. 24 Edw. *I.*

WHen the Chancellor or Chief Juſtices (upon ſight of the Libel) conceive that the Plaintiff cannot have Remedy in any Temporal Court, the Plaintiff ſhall have a Writ of *Conſultation, viz.* the ſaid Chancellor or Chief Juſtice ſhall write to the Eccleſiaſtical Judges, before whom the Cauſe depends, that they proceed therein notwithſtanding the King's Prohibition.

A Confirmation of the Charters of the Liberties *of* England, *and* of the Foreſt, *made* 25. *Edw.* I.

BY the Firſt, Second, Third and Fourth Chapters the Great Charters are confirm'd, and all Judgments given againſt them ſhall be void; they ſhall be read in all Cathedral Churches, and *Excommunication* pronounced againſt the Breakers of them.

By the Fifth and Sixth, no Ayds, Taſks, nor Prizes, formerly given by Conſent of Parliament for the Maintenance of the King's Wars in Foreign Parts (and which were feared might turn to the Bondage and Slavery of the People, by reaſon of their being found in the *Rolls*) ſhall hereafter be drawn into a Cuſtom; nor ſhall any ſuch be taken, but by the Common Aſſent of all the Realm; *Except antient Aids and Taxes.*

And the Seventh and laſt Chapters releaſe the *Maletolt*, or Grievous Impoſition of 40s. on every Sack of *Wooll*, ſo that none ſuch for the future ſhall be taken, but by Common Conſent in Parliament; *Saving* the old Cuſtoms on *Wools, Skins and Leather.*

Then follows the Sentence of *Excommunication* pronounced by the Biſhops againſt the Breakers of theſe Articles.

The Statutes of Fines Levied, *made* 27. Edw. I.

CHAP. I

IT is no good Exception to a Fine, That before or at the time of the Fine levied, the Demandant or his Anceſtors were not ſeized of the Land contained in the Fine, or of ſome part thereof.

Fines ſhall be openly read at Two certain days in the Week, according to the diſcretion of the Juſtices; and in the mean time all Pleas ſhall ceaſe.

CHAP. II.

This only relates to the Office and Duty of Sheriffs, in receiving the Iſſues upon Recognizances and other Accounts, and whom they ſhall return for Main-Pernors and Jurors.

CHAP. III.

Ordains in what manner Juſtices ſhall take Aſſizes in all Shires, and deliver the Jayles; and make Enquiry if Sheriffs or any other have let out by *Plevin* Priſoners not repleviable; and to puniſh them in all things according to the Form of the Statute lately made at *Weſtminſter*.

CHAP. IV.

Enqueſts and Recogniſances determinable before Juſtices of either Bench, ſhall in Vacation be taken before any of the Juſtices before whom the Plea is brought, being aſſociate with one Knight of the ſame County where ſuch Enqueſt ſhall Paſs, unleſs they require great Examination. And ſuch Juſtices ſhall proceed therein notwithſtanding the Statute of 21. *E.* I. *de ponendis Aſſiſis.*

An Ordinance for Purchaſing of Liberties, 27. Edw. I.

THoſe that would obtain Licenſe to make a new Park, and Men of Religion that would amortize Lands or Tenements, ſhall have Writs out of Chancery to enquire into the Value thereof; and that Enqueſts of ſuch Lands as are yearly worth above 20 l. ſhall be returned into the *Exchequer*; That if they paſs, he that purchaſed them ſhall make Fine for ſuch *Amortiſements*: With other Matters needleſs to be here mentioned.

There is alſo another Statute in the 34th Year of this King, to prevent *amortiſing* of Lands without the Conſent of the Meſne-Lord: But it is now out of Uſe.

The Statute for Perſons appealed, made 28. Edw. I.

THIS is to direct the Manner of Proceeding againſt Perſons appealed (that is accuſed) of any Crimes.

Articles upon the Charters *made the ſame Year.*

CHAP. I.

THE Great Charter, and that alſo of the Foreſt, ſhall be fully obſerved: And they ſhall be read Four times in the Year in a full County Court; there ſhall be three Knights, or other Subſtantial Men choſen by the *Commonalty* in every County, to hear and determine Plaints concerning the Charters, without ſuch Delay as is uſed at the Common Law; but they ſhall not in their Proceedings prejudice the Common Law, or the Charters themſelves, *&c.*

CHAP. II.

If a Purveyor be attainted for having taken any thing without Warrant, he ſhall be ſent to the next Jayl, and ſuffer as a Felon, if the Value of the Goods do ſo require.

CHAP. III.

The Stewards and Marſhals of the King's Houſhold ſhall not hold Plea of Freehold, Debt, Covenant or Contract, but only of Treſpaſs done within the Houſe or Verge, or of Contracts and Covenants, when both Parties are of the Houſe; and the Plea of Treſpaſs ſhall be determined before the King's Departure from the Verge where the Treſpaſs was committed, and therefore the Plea thereof ſhall be ſpeedy, *de die in diem*: And if the Plea cannot be determined in time, the Plaintiff ſhall then have Recourſe to the Common Law.

The Steward ſhall take no Cogniſance of Debt, or other things, but of the People of the ſame Houſhold; and if any thing be done contrary to this Act, it ſhall be holden as void.

In caſe of Death within the Verge, where the Coroner of the County is to make view, He, together with the King's Coroner, ſhall do his Office: And what cannot be done by the Steward before the King's Departure, ſhall likewiſe be left to the Common Law.

CHAP. IV.

Common Pleas ſhall not be holden in the *Exchequer*, contrary to the Form of the Great Charter.

CHAP. V.

The Chancellor and the Juſtices of his Bench ſhall follow the King, ſo that he may have always near him ſuch as be Learned in the Laws, to order Matters that ſhall come to the Court.

CHAP. VI.

No Writ concerning the Common Law ſhall be awarded under any of the Petty Seals.

CHAP. VII.

The Conſtable of *Dover*-Caſtle ſhall not hold Plea of any Foreign County within the Caſtle-Gates, except it concern the keeping of the

Caſtle, neither ſhall he diſtrain the Inhabitants of the *Cinque-Ports* to plead elſewhere, or otherwiſe, than as they ought, according to the Form of their Charter, confirmed by the Great Charter.

CHAP. VIII.

The People of every County ſhall have Election of their Sheriff, where the Shrievalty is not of Fee. But this was altered by the Statute of 14 *Ed.* II. *de Vice-comitibus.*

CHAP. IX.

None ſhall be impanelled, but as is ordained by Statute, and they ſhall be next Neighbours, moſt ſufficient and leaſt ſuſpicious; and if the Officer do otherwiſe, he ſhall anſwer double Damages to the Party grieved, and be grievouſly amerced to the King.

CHAP. X.

Againſt Conſpirators, falſe Informers, and Imbracers of Enqueſts, the King hath provided a Writ in the Chancery; and the Juſtices of either Bench and Juſtices of Aſſize ſhall upon every Plaint thereof award Enqueſts thereupon without Writ, and do Right without Delay.

CHAP. XI.

None ſhall take upon him any Cauſe in Suit, with an Intent to have part of the thing ſued for; neither ſhall any upon any ſuch Covenant give up his Right to another, on pain that the taker ſhall Forfeit to the King ſo much of his Lands and Goods as do amount to the Value of what he hath purchaſed for ſuch Maintenance, to be recovered by any that will ſue for the King in the Court where the Plea hangeth.

CHAP. XII.

Beaſts of the Plough ſhall not be diſtrained for the King's Debt, ſo long as others may be found, on ſuch pain as is elſewhere ordained by Statute (*viz. de diſtrictione Scaccarii,* 51 *H.* 3.) nor ſhall the great Diſtreſſes be taken for his Debts, nor driven too far: And if the Debtor can find convenient Surety for ſome time, whereby to agree for the Demand, the Diſtreſs ſhall in the mean time be releaſed; and he that doth otherwiſe ſhall be grievouſly Puniſhed.

CHAP. XIII.

The *Commons* of every County ſhall chooſe ſuch Sheriffs as ſhall not charge them, nor put any Officer into Authority for Rewards or Bribes, nor lodge too oft in one Place, nor with poor Perſons, nor Men of Religion.

CHAP. XIV.

Bailiwicks and Hundreds ſhall not be let to Farm at too great Sums, whereby the People may be over-charged with Contributions to ſuch Farms.

CHAP. XV.

The Summons and Attachments of Plea of Land ſhall contain Fifteen days Notice, unleſs in Attachment of Aſſizes in the King's Preſence, or before the Juſtices of the Common Bench, or Pleas before Juſtices in *Eyre*, during the *Eyre*.

CHAP. XVI.

Such Execution ſhall be done upon thoſe that by Precept from the King make falſe Returns of Writs (by which means Right is delayed) as is ordained by the Statute of *Weſtminſter* II. *Cap.* 39.

CHAP. XVII.

The Statute of *Wincheſter* ſhall be again ſent into every County, to be read four times in the Year, and to be kept as ſtrictly as the Great Charters, on the pains therein limited: And for the better obſervance of it, the Knights aſſigned in the Counties to redreſs things done againſt the ſaid Charters, ſhall be charged with this, and have hereby their Warrant for it.

CHAP. XVIII.

An Action of Waſt is Maintainable againſt Eſcheators and Subeſcheators for Waſt by them committed in the Lands of Wards. But this is now out of uſe.

CHAP. XIX.

When Lands are wrongfully ſeized into the King's hands by the Eſcheator or Sheriff, and after it be out of his hands, becauſe he cannot juſtly hold it, the mean profits ſhall be fully reſtored to him who ought to have the Land, and who hath ſuſtained the Damage.

CHAP. XX.

None ſhall make or cauſe to be made any Veſſel, Jewel or other thing of Gold or Silver, except it be of good and true Allay, *viz.* Gold of a certain Touch, and Silver of the Sterling Allay or better; and none ſhall work worſe Silver than Money: With ſeveral other Appointments for Goldſmiths to obſerve, upon pain of Impriſonment and Fine at the King's Will. *Saving the Right and Prerogative of the Crown in all things.*

A Statute of Eſcheators, *made* 29 Edw. I.

WHere upon Enqueſts taken by Eſcheators concerning Ward-Lands ſaid to be held of the King, and it is found to the contrary; ſuch Eſcheators ſhall immediately amove their hands from them. But this being much to the ſame purpoſe with the 19th Chapter of *Artic. ſuper Chartas* juſt above, and now become obſolete, I need to make no further mention of it.

The New Statute of quo Warranto, *made* 30 Edw. I.

COntaining the Form of a Writ to be directed to the Sheriff to permit all Men to enjoy all ſuch Liberties as they had before, and of a Proclamation, that ſuch as claim Liberties ſhall ſhew to the Juſtices (at the firſt Aſſizes when they come into thoſe parts) how they hold of them. But theſe being now of no great uſe, I have only touched upon this Statute.

The Statute of Protections, *made* 33 Edw. I.

I Queſtion much whether it deſerves this Title or not, for it ſeems to me more like a Writ than a Statute; but the Subſtance of it is, that a Challenge ſhall be entred againſt a Protection of the King's Servant; and if the Country paſs againſt him that caſt the Protection, it ſhall turn to a Default if he be Tenant; and if he be Demandant, he ſhall loſe his Writ, and alſo be amerced to the King.

There is likewiſe a Statute called the Deſinition of Conſpirators *and* Champertors, *made the ſame* 33 *Year of* Edw. I.

WHich gives not any Remedy, but refers that to the Common-Law, becauſe it conceived it to be an Offence and Injury Puniſhable at the Common-Law; therefore here it only determines what ſhall be ſaid a Conſpiracy, which poſſibly was ambiguous before. But the Statute of *Conſpirators* that immediatly follows in the ſame Year, appoints the Puniſhment of three Years Impriſonment, and a Fine at the King's Pleaſure, for ſuch Offenders.

An Ordinance of Enqueſts, made the ſame Year.

IF one Challenges a Juror for the King, he ſhall forthwith aſſign a Cauſe certain, which ſhall preſently be tryed at the Diſcretion of the Juſtices: And if he do not alledge a good Cauſe, or it go againſt him, the Enqueſt ſhall be forthwith taken.

An Ordinance of the Foreſt, *made the ſame Year.*

THoſe whoſe Woods are dis-afforeſted, ſhall be quit of the Charge of the Foreſt, but then they are to have no Common there; howbeit, ſuch as are willing to return their Woods into the Foreſt, ſhall only enjoy Common and other Eaſements there, as they did before.

An Ordinance for Meaſuring *of* Land, *made the ſame Year.*

IT ſets forth the Quantity of Perches in Length and Breadth, which ſhall go to an Acre of Land. For which I refer the Reader to the *Ordinance* it ſelf.

The Statute of Jointenants, *made* 34 Edw. I.

THIS appoints how they ſhall Plead, and be Impleaded in Aſſizes of *Novel-Diſſeiſin*, *Mort d' Anceſtor*, and other Actions; and what Puniſhments thoſe ſhall have that are proved by an Aſſize to bring malicious Pleas.

Then follow Articles of Inquiſition upon the Statute of *Wincheſter*, made in the time of King *Edw. I.* for which I refer you to the Book it ſelf.

The Satute concerning certain Liberties *granted by the King to his People, commonly called,* Stat. de Tallagio non concedendo.

THIS Statute is not enrolled under this Year of 34, but in that of 25 *Edw. I. M.* 38. when indeed it was made.

CHAP. I.

The King herein declares, That no Talliage or Aid ſhall be levied by Him or his Heirs, *without the Will and Aſſent of Parliament.*

CHAP. II.

That None of his Officers ſhall take Corn, Leather, Cattel, or any other Goods of any of his People, without the good Will and Aſſent of the Party to whom ſuch Goods belong.

CHAP. III.

That nothing ſhall hereafter be taken of Sacks of Wool, by colour or occaſion of *Maletolt.*

CHAP. IV.

That all Perſons ſhall have their Laws, Liberties and Free-Cuſtoms, as fully and entirely as they had uſed them when they enjoyed them beſt. And if any Statutes had been made, or Cuſtoms brought in, contrary to them, or any Manner of Article contained in this Article, they ſhall be void.

CHAP. V.

That the King Pardons the Conſtable and Earl Marſhal of *England*, and all others concerned with them, that refuſed going along with Him into *Flanders*, all Offences they had done againſt Him, to the making of this preſent Charter.

CHAP. VI.

Ordains that all Archbiſhops and Biſhops for ever ſhould read this Charter twice in the Year in their Cathedral Churche's, and *Ecommunicate* all the Violaters of it. And then this Charter was ſealed by the King, the Archbiſhops, Biſhops, *&c.* who all took a voluntary Corporal Oath for the more firm obſervation of it, it ſo nearly concerning the Laws, Liberties and Free-Cuſtoms of their Country.

As for the reſt of the Statutes that were made at *Carliſle* in the Thirty fourth Year of this King's Reign, ſince they chiefly relate to Eccleſiaſtical Matters, I ſhall refer the further treating of them under that Title, which you will find at the end of this Reign.

HAVING given you as brief an Abridgment as I could, of the moſt conderable Statutes of this King's Reign that are now in Force, either for altering or interpreting the Common-Law where it was doubtful; I ſhall now from the 6th Chapter of the Manuſcript Treatiſe of the late Learned Lord Chief Juſtice *Hales* (Entituled, his *Hiſtory* and *Analyſis* of the Laws of *England*) proceed to give you the Grounds and Reaſons of making ſeveral of them; with a Brief View of the whole Body of the Law as it ſtood at that time, and an Account likewiſe of the Manner and Forms of Pleadings then in uſe.

We have brought down our Hiſtory of Laws in the laſt Volume to the Reign of King *Edward I.* who may be truly ſtiled our *Engliſh Juſtinian*; for in his Reign the Laws attain'd a very great Perfection, the

Pleadings ſhort indeed, but excellently good and perſpicuous: And although for a time ſome of thoſe antient Imperfections and inconvenient Rules ſtill obtain'd, as for Example in Point of Deſcent, where the Middle Brother held of the Eldeſt, and Died without Iſſue, it deſcended to the Youngeſt, upon the Pretence of that old Rule in the time of *Henry* the II. *Nemo poteſt eſſe Dominus & Hæres*, and is more than once mentioned by *Glanville*; yet the Laws never in any one Age ſince his time have received ſo ſudden and great an Advancement, nay I think I may ſafely ſay, that all the Ages ſince his time have not done ſo much in reference to the orderly Settling and Eſtabliſhing of the Diſtributive Juſtice of this Kingdom, as he did within the ſhort Compaſs of the 35 Years of his Reign; eſpecially about the firſt Thirteen Years thereof. Indeed many penal and proviſional Statutes in relation to the Peace and good Government of this Kingdom have been ſince made; but as to the Adminiſtration of the Common Juſtice between Party and Party, and the accommodating of the Rules, and alſo of the Methods and Orders of Proceeding, He did the moſt of any one King ſince the Conqueſt, and left the ſame as a ſtable fixt Rule and Order of Proceeding, very little differing from what we have now; I mean as to the main Subſtance and Principal Contexture thereof. It were the Buſineſs of a Volume to ſet down all Particulars; I ſhall therefore give you ſome ſhort Obſervations touching the ſame.

I. Firſt, He perfectly ſettled the Great Charter and Charter of the *Foreſt*, not only by a Practice conſonant to them, but alſo by that Solemn Act, 25 *Ed.* I. Stiled *Confirmationes Cartarum.*

II. He eſtabliſh'd and diſtributed the ſeveral Juriſdictions of Courts within their proper bounds; and becauſe this has ſeveral Heads, I ſhall ſub-divide it, though not preciſely following Order of time.

I. He check'd the Encroachments and Inſolence of the Pope and Papal Clergy, by the famous Statute of *Carliſle*.

II. He declared the Limits of Eccleſiaſtical Juriſdiction, by the Statutes of *Circumſpecte Agatis*, and *Articuli Cleri*; the latter of which, though publiſhed in the Time of *Edward* II. yet was compil'd in the beginning of this King's Reign.

III. He perfectly Eſtabliſhed the Limits of the Court of Common-Pleas, putting in Uſe that Article of *Magna Charta*, *Communia Placita non ſequantur Curiam noſtram*; and in Expreſs Terms Extending that Law to the Court of Exchequer, by the Statute of *Articuli ſuper Cartas*. Cap. 4. 'Tis true, That upon my firſt Reading of the *Placita de Banco* of this King, finding very many Appeals of Death, of Rape and Robbery, I doubted whether the ſame were not held at leaſt by Writ in the Common-Pleas; but upon better Enquiry, I found that many of the Records before the Juſtices *Itinerant*, were enter'd and fil'd up among the Records of the Common Pleas, which might occaſion that Miſtake.

IV. He Eſtabliſhed the Extent of the Juriſdiction of the Steward and Marſhal, *Vid Articuli ſuper Cartus*, Cap. 3.

V. He ſettled the Bounds of the Inferiour Courts, not only of Counties, Hundreds and Courts-Baron, but all others, which He kept within their Proper and Narrower Bounds: And ſo gradually the Common Juſtice of the Kingdom came to be Adminiſtred by Men knowing in them, and ſitting in the Great Courts of *King's Bench* and *Common Pleas*;

and alſo before Juſtices *Itinerant*; as alſo by that excellent Statute of *Weſtminſter* I. *Cap.* 35. Beſides this He kept the Courts of great Men within their due Limits under ſeveral Penalties, wherein ordinarily very great Encroachments and Oppreſſions were exerciſed. The Third General that I obſerve, is, That He did not only explain, but excellently well enforce the Statute of *Magna Charta*, by that of *de Tallagio non Concedendo*, made 25 *Edward* I. notwithſtanding it is placed without any certain Year in our Printed Statute Books.

VI. He provided againſt the Interruption of the Common Juſtice of the Kingdom, by Mandates under the Great or Privy Seal, by the Statute of *Articuli ſuper Cartas*, Cap. 6. which notwithſtanding the Statute of *Magna Charta* Cap. 29. were formerly too frequently in Uſe.

VII. He ſettled the Forms, Solemnity, and Efficacy of Fines, confining them to the Courts of Common Pleas, and Juſtices *Itinerant*, whoſe Records were in antient times commonly removed to the King's Bench, after their Circuits ended, whereby One common Repoſitory for the Great Aſſurances of Lands might be kept, which He did by the Statute of the 18 *Edward* I. *de Modo levandi fines*.

VIII. He ſettled that Great and Orderly Method for the Safety and Preſervation of the Peace of the Kingdom, and Repreſſing of Robberies by the Statute of *Winton*.

IX. He ſettled the Method of Tenures, to prevent multiplicity of Meſnalties which grew to a great Inconveniency, and was remedied by the Statute of *Quia Emptores Terrarum*.

X. He ſettled a ſpeedier way for Recovery of Debts, not only for Merchants and Tradeſmen, by the Statute of *Acton-Burnel* and *de Mercatoribus*, but alſo for other Perſons, by granting an Execution of the Moiety of Debtors Lands, by *Elegit*.

XI. He ordered an effectual Proceſs for the Recovering Advouſons and Preſentations to Churches, (which was formerly extreamly lame and defective) by the Statute of *Weſtminſter* II. Cap. 1.

XII. He made that great Alteration in Eſtates, from what they were formerly, by the Statute of *Weſtminſter* II. Cap. 1. whereby Eſtates of Fee-ſimple *Conditional* at the Common Law were turn'd into Eſtates *Tayl*, not removeable from the Iſſue according to the ordinary Methods of Alienation; and upon this Statute, and in order to the Qualifications thereof, are the Superſtructures of thoſe Statutes I have now mentioned.

XIII. He Introduced a quite new Method in the Laws concerning *Wales*, and in that of their Adminiſtration, by the Statute of *Rothland*.

XIV. In Brief, partly by the Learning and Experience of his Judges, and his own wiſe Interpoſition, He ſilently and without noiſe abrogated many evil and inconvenient Uſages, both in the Courts of Juſtice at *Weſtminſter*, and in the Country. He alſo rectified, and ſet in order the preſent Method of Collecting his Revenues into the Exchequer, and removed the obſolete and burthenſome Parts thereof out of Charge, and by the Statutes of *Weſtminſter* I. and *Weſtminſter* II. as alſo of *Gloceſter*, *Weſtminſter* III. and *Articuli ſuper Cartas*; whereby He removed almoſt all that was either grievous or unpracticable out of the Law and the Courts where it was adminiſtred, and ſubſtituted ſuch apt, ſhort, but effectual Remedies and Proviſions, as by length of time, and the experience of their Convenience have ſtood ever ſince without any great Alteration; and being Incorporated with, became in a manner part of the Common Law it ſelf: So that (as before I ſaid) the very Scheme and Model of the Common Law, eſpecially in Relation to the Adminiſtration of Common Juſtice between Party and Party, as it was highly rectified, and ſet in a much better Order than his Predeceſſors left it to Him, ſo the Meaſure which we are to take, for the true Stating the Law of *England*, as to what it now is, ought to be taken and eſtimated by what it was when this King left it. Before his time it was rude and unpoliſh'd, in Compariſon of what it was after its Reduction; and as it was thus poliſh't by Him, ſo it hath hitherto continued the ſame without any great or conſiderable Alteration, abating ſome few Additions ſucceeding Times have made, which are for the moſt part in the Subject-matters of the Law, and not ſo much in it's Rules or ways of Adminiſtration. But as I have already obſerved ſome of thoſe various and Great Acceſſions to the Perfection of the Law under this King, ſo I ſhall now give you ſome of thoſe *Repoſitories* where theſe may be found; and they are of the following kinds.

I. Acts of Parliament in the time of this King, full of excellent Wiſdom, Perſpicuity, and yet Brevity; whereof enough is ſaid before.

II. The Judicial Records of the times of this King. I ſhall not mention thoſe of the Chancery, the Cloſe, Patent and Charter Rolls, which yet very much Evidence the Learning and Judgment of that time: But I ſhall only mention the Rolls of Judicial Proceedings, in the King's Bench, Common-Pleas and *Eyer*; of all which I have read over very many, and obſerve they are in the firſt Place, Written in an Excellent hand, and Secondly the Pleadings very ſhort, but perſpicious, and that neither loſe nor perplex the Matter, either through any Impropriety, Obſcurity or Multiplicity of Words; but they are clearly and orderly digeſted, repreſenting effectually the Buſineſs they intend.

III. The Rule and Reaſon of the Law, according to which they proceeded (which is many times expreſly delivered upon the Record it ſelf) very clear and rational, ſo that their ſhort, pithy Pleadings and Judgments do far better render the Senſe of the Buſineſs, and the reaſon of it, than the long intricate formal Pleadings, that are often unneceſſarily uſed in later Times.

IV. Of the Terms and Years of this King's time, only a few broken Caſes remain, and are reported and Collected by *Fitz-Herbert*; but we have no ſucceſſive Printed Terms and Years of this Reign, except ſome few antient Manuſcript ones, though not running through the whole time of this King; but what remain are very good and brief: The Judges then ſpake leſs, or the Reporters were not ſo ready handed, as to take all they ſaid; hence their Brevity makes them the more obſcure; but yet in thoſe Deciſions and brief Interlocutions between the Judges and the Pleaders, there appears a great deal of Learning and Judgment, There are ſome of thoſe Reports in the Library of *Lincoln*'s-*Inn*, which though broken and imperfect, yet are the beſt I have met with of that kind.

V. The Law-Tracts which were written in the time of this Wiſe and Excellent Prince, ſeem to be of Two kinds, *viz.* ſuch as were but only the Works of Private Perſons, and had not any great Authority, but yet contain much of the Law then in Uſe; ſuch were *Fleta*, the *Mirrour* of *Juſtices*, *Britton* and *Thornton*; or elſe they are Sums or Abſtracts of ſome particular Parts of the Law, as *Novæ Narrationes*, *Magna Hengham*, *Parva Hengham*, *Aſſiza de Baſtardia*, &c. By all which, compar'd with *Bracton*, there ſtill appear a Growth and Perfecting of the Law into a greater Regularity and Order. And thus much may ſerve for the ſeveral Periods of the Growth of the Common Law, until the time of *Edward* the *Second* incluſively. I ſhall be the ſhorter in what follows, becauſe the ſame things are more obvious, and the Books and the Reports of the enſuing times give us a ſufficient Account of the Proceedings of the Law herein. *Secondly*, becauſe it began to grow more Voluminous, every King's Reign, nay almoſt every Year encreaſing thoſe Torrents by continual Acceſſions of new Rivolets, till it is now ſwell'd (as I may ſay) to a large and immenſe Ocean.

Church Affairs during this King's Reign.

*P. 100.

DOctor *Brady* having in his laſt * Volume given us an Account of divers Eccleſiaſtical Matters, from the moſt approved Authors and Records of that time, I ſhall here make bold to tranſcribe his Relation of them, together with ſuch Additions of my own, as I have collected either from our Hiſtorians, or other Records: Thoſe of the Doctors are as follows, *viz.*

Ant. Brit. f. 189. *God. de Preſul. Angl. p.* 137.

Not long before the Death of *Henry* III. the *Monks* of *Canterbury*, by his Licence, having choſen *William de Chillenden*, their Sub-Prior, for Archbiſhop, the Pope perſuaded him, as a Perſon not fit for that Place, to wave the Election and make way for *Robert Kilwardeby*, a Friar-Minor, (who for Eleven Years had been the Collector of the Pope's Monies or Revenues in *England*) to be Archbiſhop, by his ſpecial *Proviſion*, without the Monks Election, the King's Licence, or ſo much as his Approbation; contrary to his Prerogative, the Antient Rights of his Crown, the Laws of the Realm, and Liberties of the Church.

Rot. Clauſ. 1. *Ed.* I. *M.* 11. *Dorſ.* Printed in *Pryn*'s 3d Vol. *f.* 122. *Dr. B*'s. *Append. N.* 44.

But to prevent for the future the like Practices of the Pope, within leſs than a Month after the Death of *Henry* the *Third*, King *Edward* being then in the *Holy-Land*, the Guardians of the Kingdom and Council, in his Name, by their Proctors, before they granted the new Archbiſhop his Temporalties, made publick *Proteſtation*, for the Vindication of the Prerogative and Rights of the Crown, againſt theſe *Proviſions* of the Pope; ſhewing that Cathedral Churches, when void, were by Right and Cuſtom, wont to be filled by the *Canonical Election* of the Chapter, the King's Leave having been firſt asked and obtained: And that after the *Election*, the *Elect* ought to be preſented unto the King, That He might object againſt him, if He had any thing reaſonable to propound; but that the omiſſion of this ſeemed to the King and his Council to be a great Prejudice to Himſelf and the Church of *Canterbury*, whoſe Patron and Defender He was, and eſpecially if this ſhould be made an Example in other Churches, That the Pope paſſing by theſe Uſages, where there could not be found any Fault either in the Matter, or Form of the *Election*, nor had ſo expreſſed in his Letters, yet ſhould aſſume a Power of providing for the Church; wherefore leſt for the future the *Roman* Church ſhould proceed to do the like, or if it ſhould do it, that the King might not receive Prejudice, or be bound to reſtore the Temporalties of any Church ſo provided for, the King of his ſpecial Grace, grants them to this Archbiſhop for the preſent; and then *Iterus Bernardus*, the King's *Procurator* and Clerk, made *Proteſtation* in his Name and Stead, That this Grant of the Temporalties ſhould not be drawn into Example for the future: This *Proteſtation* was made and read at *Weſtminſter* in St. *Stephen's* Chappel on the Vigil of St. *Lucy* the Virgin, (*i. e.* the Twelfth of *December*) in the Preſence of Fryar *Robert de Kilwardeby*, the Archbiſhop *Elect*, the Biſhop of *Exeter*, *Walter de Merton*, Chancellor of *England*, *John de Chiſtal*, Dean of St. *Paul's*, *R. Burnel*, Arch-Deacon of *York*, and many others. *A. D.* 1272.

And on the ſame Day, the ſaid Archbiſhop having given ſufficient Teſtimony of his Affection to the King, and taken the Oath of Fealty to Him, had for that time, out of his eſpecial Grace, his Temporalties granted by the Lieutenants or Guardians of the Kingdom; and ſo that Difference was for the preſent made up.

Pat. 1. *Ed.* I. *M.* 20. *Int.*

Then after Six Years, this Archbiſhop *Kilwardeby* being made Biſhop of *Porto* in *Italy*, and Cardinal, *Abdicated* his Archbiſhoprick; upon whoſe Ceſſion, the Pope (notwithſtanding the Monks had before *Elected* the Biſhop of *Bath* and *Wells*, then Chancellor of *England*) made *John Peckham*, another Preaching-Fryar, Archbiſhop, and Conſecrated him at *Rome*. He was Born in *Suſſex*, of obſcure Parents, and had his firſt Inſtitution in the Monaſtery of *Lewis*.

Ant. Brit. *f.* 192.

This Archbiſhop, with the Biſhops and Clergy, (endeavouring to put in practice the Canons of Archbiſhop *Boniface*, made at *Lambeth*, 45 of *Hen.* III. *A. D.* 1261.) held a Synod at *Reading* the Seventh of this King, on the Third of the Kalends of *Auguſt*, or Thirtieth of *July*, *A. D.* 1279. in which, ſeveral Sentences of *Excommunication* were enjoyned to be publiſhed, contrary to the Royal Prerogative, and Laws of the Land; which ſo troubled the King, that He Convened the Archbiſhop before himſelf and his Council in the Parliament held at *Michaelmaſs* next following; wherein He made an open *Revocation* of ſuch Articles as appeared to be againſt the Rights of his Crown.

Spelm. Council, 2d Vol. *f.* 305.

Clauſ. 7 *Ed.* I. *M.* 1. *Dorſ.* Printed in *Dr. B's. Ap.* *N.* 45.

In the Eighth of King *Edward*, this Archbiſhop and his Suffragans, holding a Council at *Lambeth*, the King fearing from their late Canons and Proceedings at *Reading*, that they might preſume to Conſtitute ſomething therein againſt his Crown and Dignity, appointed *Roger le Eſtrange*, and *Hugh Fitz-Otto*, Steward of his Houſhold, his Commiſſioners, to go to them, and Appeal againſt any ſuch Proceedings: So that in this Synod, they only confirmed the Conſtitutions of *Otto* and *Ottobone*, formerly the Pope's Legates in *England*.

Spelm. Vol. 2. *f.* 327.

Pat. 8 *Ed.* I. *M.* 10 *Int.* *Vid. Dr. B's.* *Ap. N.* 46.

* *Cod. Anon.*

Next Year, the ſame Archbiſhop called a Council at *Lambeth*; but the King ſuſpecting the Loyalty of the Archbiſhop and Biſhops, directed his Writ to them, Commanding them, upon their Oaths of Fealty they had taken, to be faithful to Him, and defend his Rights, and the Rights of his Kingdom, as much as they could; and enjoined them by vertue of ſuch their Oath, and under pain of loſing their Temporalities they held of Him, That they ſhould in that Council do nothing againſt Him, his Kingdom, and the Rights or Laws which his Predeceſſors and He had uſed by antient and approved Cuſtom, nor to do, aſſent to, or attempt any thing againſt them.

Pat. 9 *Ed.* I. *M.* 6. *int.* *Da. B's. Ap.* *N.* 47.

Yet in this Synod, notwithſtanding this *Inhibition*, they renew'd the Canons of the former Council of *Lambeth*, holden under Archbiſhop *Boniface*, thô ſuſpended by the King's Appeal to the Pope about it: And notwithſtanding his *Revocation* above-mention'd, (of ſome of the Canons and Sentences of *Excommunication* made at *Lambeth* and renewed at *Reading* about Two Years before in open Parliament) He renewed them

Spelm. ut ſup. *f.* 3289.

again in this Council; As that, Againſt ſuch as procured or obtained *Prohibitions* againſt Proceedings in Spiritual Courts; that, Againſt the Infringers and Oppoſers of Eccleſiaſtick Liberty; that, Againſt ſuch as took any thing out of, or from the Houſes, Mannors, or Lands of Eccleſiaſtick Perſons againſt their Wills; that, Againſt ſuch as took or removed any Perſons or Goods out of *Sanctuary*, and hindered any Victuals to be brought to ſuch Perſons; and laſtly, Againſt ſuch as denied to Execute the King's Writs for taking the *Excommunicates*, or hinder'd the taking of them, or unjuſtly procured their Liberty; being moſt of them thoſe very Things He had formerly renounced, and promiſed not to put in Practice for the future.

Spelm. Concil. Tom. 2. f. 341. Ex Vet. Cod. MSS. in Regiſtro Printipali Arch Cant. (nuncupato) Peckam, f. 97.

This Council ended on the Sixth of the Ides, or Tenth of *October*; and he wrote the King a Letter about Church-Liberty, not long after, wherein he tells him, 'That for a long time, and very antiently, there had been great Diſſention between the King and Great Men of *England*, and the Archbiſhops, Biſhops, and Clergy of the ſame, concerning the Oppreſſion of the Church, againſt the Decrees of Popes, the Conſtitutions of Councils, and Sanctions of Orthodox Fathers, in which the *higheſt Authority*, the Greateſt *Truths* and *Sanctity* did conſiſt: And therefore beſeeched the King, that there might be an end put to thoſe Diſſentions; which could not otherwiſe be done, than by his being inclin'd to cloſe with thoſe Three great Points from whence the Canons were collected, and ſubmit his Crown to that of *Chriſt*; for that the Eccleſiaſtick or Church Liberties were the Jewels of his Spouſe. He tells Him further, That by the expreſs Precept of the Law He was bound to obey the Pope; That the Determination of every Controverſy, that could not be determined by Inferior Judges, belonged to Him; That Catholick Emperors ſubmitted all their Laws, and aboliſhed all ſuch as were contrary to them: Laſtly he told Him, That no Oath could bind to the Keeping or Performance of ſuch things as were repugnant to Eccleſiſtick Liberty; and if He had taken any that might any way excite his Conſcience againſt the Church, he would abſolve Him from it: And concludes, That he firmly believed, He could not provide for the Safety of his Soul, or the Stability of his Kingdom, unleſs He cloſed with what he propounded.' This Letter is dated at *Lambeth* the 4th of the Nones or 2d of *November* 1281. in the 9th of *Edw.* I.

But this Epiſtle prevailed not upon the King, nor ended the Controverſies about the *Regalia*, or Rights of the Crown, and Liberties of the People between the Secular and Eccleſiaſtick Powers: And whatever the Pretences of the Archbiſhop, Biſhops, and Clergy were, for the Advancement of Holineſs and Religion, the Deſign was purely *Dominion*, whether the King or they ſhould have moſt Power, even in Temporals; for from the firſt to the laſt Year of his Reign, they endeavoured to Incroach and Uſurp upon the Temporal Juriſdiction, notwithſtanding all *Prohibitions*, *Attachments*, *Informations*, and Suits againſt them; the Records of which would ſwell into a Volume, if they were all collected from thoſe in the *Tower* only of this King's Reign *: And always when the King's Neceſſities urged Him, or that He was fatigu'd, or diſappointed in his Wars, they took the Advantage of promoting Eccleſiaſtical Liberty, (which was any thing they pleas'd to call ſo) againſt the Rights, Royalties, and Prerogative of the Crown, and never wanted ambitious, deſigning, diſcontented, or poor, Noblemen or Gentlemen, who had made themſelves ſo by their own Luxury, (and pretending to

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* As the Reader may ſee in *Pryn's* ſecond Volume of the Hiſtory of Papal Uſurpations, *&c.*

what was then called Sanctity, ſeemed to be more Holy and Religious than others) to joyn with, and aſſiſt them, in hopes to make themſelves great, and repair their broken Fortunes, or ſucceed in the Places of others, and become Governours and Regulators of the Nation, and Miniſters of State under the Church Power.

Thus far I have faithfully tranſcribed from Dr. *Brady* an Impartial Account of the Incroachments of the Pope and Church of *Rome*, in thoſe days, upon the Civil Power and Liberties of the *Engliſh* Nation: I ſhall now from my own Collections proceed to ſet forth ſome other material Alterations in Eccleſiaſtical Affairs in this King's Reign; who being a wiſe and magnanimous Prince, and finding the Clergy, whilſt divided from the Laity, and indeed from one another in their Synods and Councils, very untractable and hard to be dealt with, in reſpect of Pecuniary Aids, or Supplies towards his Wars, reſolved to reſtore the old Cuſtom, uſed before the Conqueſt, and for above Eighty Years after, of bringing the whole Body of the Clergy to appear Nationally in Parliament, as a part thereof, which He partly effected, by inſerting into the Writ of Summons to the Archbiſhops and Biſhops, that remarkable Clauſe of *Præmunientes*, which is ſtill continued to this day: Whereby they were obliged to warn the Priors and Chapters of their Churches, and the Archdeacons, and all the Clergy of their reſpective Dioceſſes; the Archdeacons and Priors in their proper Perſons, and the Chapters and Clergy by two fit Proxies, with ſufficient Power from them to be preſent with the King, there by all means, to Treat, Ordain, and do, together with Him, and other Prelates and Peers, and other Inhabitants of the Kingdom, ſo as to obviate the Dangers recited in the ſaid Writ: Which was different from the Summons which the Archbiſhops of *Canterbury* and *York* uſed to iſſue out before by their own Metropolitical Authority for the ſaid Perſons to meet in an ordinary Synod or Convocation; as any one may ſee, who will take the Pains to compare both thoſe Forms: For that Clauſe in the Writ, beginning with the Words, *Ad Tractandum, &c.* is the very ſame with that directed to the Knights, Citizens, and Burgeſſes, and gives the Inferior Clergy the like Powers.

* See the firſt Writ Extant of this kind, *Rot. Clauſ.* 23 *Ed.* I.

When theſe Writs firſt began is hard to determine, ſince the Writs of Summons from the beginning to the Three and twentieth of this King's Reign are loſt; but that they were iſſued out before that Year, appears by a Writ of Summons entred in the Regiſter of *Henry* Prior of *Canterbury* of the Two and twentieth of this King; but tho' we cannot aſſign the exact time, yet we may come ſo near it as to affirm, That it was ſome time after the Conſtitution of the Council or Synod held at *Reading*, in the Seventeenth of this King, and mention'd in his Reign under *A. D.* 1279. and ſeems moſt likely to be begun, when the King was put to it for Money to carry on his Wars againſt *Wales*, or *Scotland*: But as to the Alterations that were made in this King's laudable Inſtitution under his too eaſie Son and Succeſſor, we ſhall give you a like Account, when we come to the end of his Reign.

All things as to Eccleſiaſtical Matters continued in the ſame Condition until the Thirty fourth Year of this King, when at the Parliament held at *Carliſle*, where there were great and general Complaints in this Parliament, of the great Oppreſſions exerciſed by the Pope, and his Clerk, upon the Liberty of the Church of *England*, of which a Schedule being dropt in this Aſſembly by an unknown Hand, (which our Author has given at large) it ſo far incenſed them, that preſently certain bold Petitions were exhibited by the Earls, Barons, Great Men, and Community of the whole Kingdom of *England*, on behalf of that Crown; as alſo of thoſe of the Lands of *Scotland*, *Wales*, and *Ireland*, and the whole Community aforeſaid, concerning divers new intollerable Grievances, Oppreſſions, Injuries, and Extortions, done to, and brought upon the ſaid Earls, Barons, Great Men, and Community, by the Authority and Command of the Pope; and particularly by Mr. *William de Teſta*, his *Clerk*, or *Nuncio*, or by his Commiſſaries, Miniſters or Vicegerents, in his Name. The Articles or Heads of theſe Petitions or Complaints were,

Firſt, The extravagant number of Proviſions, granted by the Pope, of the beſt Spiritual Preferments, given to *Italians*, or other Foreigners and Non-Reſidents, to the great Prejudice and Diſinheritance of the Founders, Benefactors, and their Succeſſors, and to ſuch as had the Right of Advouſon, and the Gifts of ſuch Preferments.

Secondly, The Rents and Revenues of Religious Houſes, which the Pope intended to apply to the uſe of divers Cardinals.

Thirdly, Concerning Firſt-Fruits of Vacant Benefices, reſerved to the Pope, a thing never heard of before; concerning the Collection whereof, he had lately iſſued forth divers hard and ſevere Orders, much prejudicial to the King, Kingdom, and whole *Engliſh* Church.

Fourthly, About the *Peter-Pence*; That they were not taken according to the firſt Grant, but exacted to treble the value.

Fifthly, Concerning Legacies given to Pious Uſes; That they were wickedly demanded, and exacted by Authority of the Apoſtolick See, and converted to other Uſes than the Teſtator or Donor intended.

Sixthly, Concerning Debts, the Abuſe was, that Creditors went to the Pope's Clerks, and offer'd them half the Debt, more or leſs, to get the reſt; who preſently cauſed the Debtors to be Summoned and Diſtrained to Anſwer before them, to the open Diſheritance of the King and his Crown.

Seventhly, Concerning *indiſtinct* Legacies, (*i. e.* ſuch as were given in general, and not in particular Words) tho' approved by the Civil and Canon Law, yet the Pope's Clerks impiouſly appropriated to themſelves, or converted them to their own Uſes, contrary to the Deſign of the Deceaſed.

* *Ryley's Placit. Parl.* f. 376.
† *Ib.* 379

There are two Copies of theſe Petitions; one in * *French* very full and large; the other in † Latin, which concludes thus: *All theſe things tend to draw the Money out of the Kingdom, the manifeſt deſpoiling of the Church, the enriching of Strangers, and impoveriſhing the Natives, unleſs God will ariſe and diſſipate his Enemies, ſo as by the Secular Prince and his Council, with the Conſent of the Noble and Great Men, ſuch great Wickedneſs may be repreſſed.*

† *Ibidem.*

Upon † which Articles of Oppreſſions, Grievances, Extortions, and Injuries, *William de Teſta*, the Pope's Nuncio, was called into full Parliament, and Convicted thereof; nor could he any ways excuſe himſelf, but by ſaying, *He did theſe Things by Authority of the Pope.* 'And becauſe theſe 'Practices, if ſuffer'd, manifeſtly tended to the Diminution of Divine 'Worſhip, the Robbing of the *Engliſh* Church, the Prejudice, Hurt 'and Diſheriſon of the Crown, Power, Juriſdiction and Dignity Royal 'of *England*, the Deſtruction of the whole *Community*, and perpetual 'Subverſion of the State of the Kingdom, and the Laws and Cuſtoms 'of the ſame, from whence greater Dangers in proceſs of time might ‘enſue; therefore they having at laſt conſidered theſe Miſchiefs, *by Aſſent of the King, and whole Council in Parliament*, it was Provided, Agreed, Ordained, and Judged, That the premiſed Grievances, Oppreſſions, Injuries and Extortions, ought not to be permitted in the Kingdom and Lands aforeſaid. And Maſter *William* was in the ſame Parliament forbidden to do any thing contrary to this Proviſion, Agreement and Judgment, by himſelf or any other whatſoever: And he was enjoyned to revoke and make void whatever had been done by him, his Commiſſaries, Miniſters, Vicegerents, Adherents and Aſſiſtants, and ſafely to keep within the Kingdom the Money levied upon this Account, until the King, by Advice of the Council aforeſaid, ſhould otherwiſe direct.

And for the greater Evidence of the Matter, it was Ordain'd and Agreed by the King and Council aforeſaid, That Experienced Meſſengers ſhould be ſent to the Pope, from the King and whole *Community*, to notifie and ſet forth to him theſe Grievances, Oppreſſions, Extortions and Injuries: And a Letter was drawn up accordingly in the Name and behalf of the **Clergy* and *Laity*, full of Sharpneſs and Reflection upon the Pope, his Miniſters and Nuncio's, with this Title in the Margin; *Littera à Regno Angliæ*, The Letter from the Kingdom of *England* to the Pope.

Ibidem.

* *Clerus & Populus.*

At the ſame time Writs were ordered to be directed to all the Sheriffs of *England*, to enquire, by the Oaths of lawful Men of the County, after the Names of the Miniſters and Commiſſioners of *William de Teſta*, who had committed theſe Grievances, Extortions, *&c.* and the Names of ſuch as had cauſed any one to be cited before himſelf, or Commiſſaries, being diſcover'd, to attack them by their Bodies, ſo that they might appear before the King Eight Days after *Holy Trinity*, wherever He was in *England*; to anſwer to Him or any others that would complain, and to do and receive what the King's Court (the Court of *King's Bench* now, which then was always with the King) ſhould Adjudge and Ordain. Witneſs the King at *Carliſle*, the Twenty ſecond of *March*, in the Five and thirtieth Year of his Reign.

Ibidem. f. 282, 283.

The Prince of *Wales* as Guardian of *Scotland*, and the Juſtice of *Ireland*, were alſo commanded to ſee this Proviſion, Agreement, Ordinance and Judgment, inviolably obſerved in thoſe Lands or Countries under their Government.

Ibidem.

Yet notwithſtanding all theſe new Ordinances, their Severity was very much mitigated; for after the Receſs of the Parliament, the King at the Requeſt of the Biſhop and Cardinal of *St. Sabine* (who came lately from the Pope into *England*, and was then at *Carliſle*) commanded the Chancellor not to Seal their Writs to the Sheriffs, *&c.* And * farther for the Reverence He had to the Apoſtolick See, and Affection He bore to Pope *Clement* gave *William de Teſta* and *Peter Amalmeni*, the Pope's Clerks and Nuncio's, their Commiſſaries and Miniſters, a Protection to go through the whole Kingdom for the Diſpatch of the Buſineſs of the Church of *Rome*. Witneſs the King at *Carliſle* the 4th of *April* in the ſame Year of his Reign.

Ibidem.

* *Ibidem. & Parl.* 25 *Ed.* I. *M.* 10. *inſus.*

He alſo granted to them, as much as He might or could lawfully, to Collect or keep to the Uſe of the Pope, the Firſt Fruits of all vacant Eccleſiaſtical Benefices, with Cure and without Cure, in the Kingdom, for Three Years; which were reſerved by the Pope to himſelf, notwithſtanding the late *Prohibitions* in Parliament; ſo as they meddled not with the Revenues of Abbies or Priories, nor carried the Money out of the Kingdom, but by way of Exchange. This Licence or Diſpenſation was dated the ſame day at *Carliſle*.

Parl. 25 *Ed.* I. *M.* 19. Printed in *Ryley*, f. 383.

And

Ibm. Ryly, f. 384.

And farther, the King then gave them a *Diſpenſation* to execute their Offices, as the Pope's Clerks and Nuncio's, and as the Clerks and Nuncio's of former Popes had done in times preceeding, notwithſtanding any former *Prohibition* by Him made; provided they did nothing againſt his Crown or Dignity, or any of his Subjects, any manner of way. This is likewiſe dated the ſame Day, at the ſame Place.

Ibm.

Laſtly, He gave them leave by way of Exchange, and by Aſſiſtance of Merchants, to transfer all the Money ſo collected, which rightly belonged to the Church of *Rome*, or to the Pope; ſo as they tranſported not any Coined Money, or Silver in the Maſs, by themſelves, or others. Dated at the ſame Place and Time.

Ryley, Ibm. Dr. B's Ap. N. 42. *Ryly ib. p.* 385

Under Pretence of theſe Letters, Grants and *Diſpenſations*, the Pope's Clerks aforeſaid, not having Reſpect to the late *Prohibitions* in Parliament, returned to their old Trade and former Practices; and being oppoſed in their Proceedings by many of the Kingdom, by reaſon of thoſe *Prohibitions*, they Petitioned the King's Council holden at *Weſtminſter* in the Feaſt of *Holy Trinity* laſt paſt, and exhibited Letters, *&c.* and becauſe it was found, (or at leaſt was interpreted) that by them the King had revoked nothing of the former Ordinance made in Parliament, nor granted any thing a-new to the ſame Clerks by the ſaid Letters, only that they might have and receive the Firſt Fruits of Vacant Benefices, as far as He could grant them, He thereby forbad them to do or attempt any thing that might turn to the Prejudice of his Crown and Royal Dignity, or any other of his Subjects: And it being found alſo, that every of the Grievances aforeſaid were in Prejudice of the King and his Subjects, it was by Command of the King (being ſtill at *Carliſle*) farther agreed in the ſame Council, That the ſaid Clerks ſhould not Act any of the ſaid Grievances, nor have the Firſt Fruits of Benefices of the Patronage of the King or others, becauſe it would turn to the Prejudice of Him, his Crown and Dignity. Whereupon the ſaid Clerks underſtanding this Agreement, would not any further proſecute their Petitions, or appear to receive their Anſwer; and therefore there was a further *Prohibition* made, That whereas there had not been a full Deliberation had upon their Petitions, they ſhould not attempt any thing any way prejudicial to Him, his Crown and Dignity, the Noblemen and People of his Realm. Witneſs the King at *Carliſle* the Seven and twentieth day of *June*, in the ſame Year.

The Statute of *Proviſors* made at *Carliſle*, 35 *Ed.* I. *cap. ult.*

This *Prohibition* was ſerved upon them by the Mayor, Aldermen and Sheriffs of *London*; and afterwards if the ſaid Clerks endeavoured to have been Relieved againſt this *Prohibition*, it was then in vain; for the King died not long after, ſo as nothing further was done in this Matter.

But as for the particular Statutes that were made in this Parliament, ſince they wholy relate to Eccleſiaſtical Matters, I ſhall here inſert them under this Head; and they are as follow.

Firſt, That Remarkable Statute, Entituled, *De Aſportatis Religioſorum*, or againſt the carrying away or tranſporting of the Goods of Religious Perſons; and was intended to prevent for the future the great *Talliages* and *Tributes* impos'd upon the *Engliſh* Monaſteries by *Foreign* Abbots; who being the Heads and Superiors of their Orders, had impos'd many inſupportable Burthens and Oppreſſions upon the Monaſteries in *England*, as their Dependents; which being become intolerable, had been not long before complain'd of, not only by the Religious Orders themſelves,

* but alſo by the Great Men of the Kingdom, who complain'd, *That by theſe means what had been Charitably given to Pious Uſes, and the Encreaſe of Divine Worſhip, was turn'd into a wicked Tribute, not pleaſing to God:* Wherefore by the Advice of the Earls, Barons and other Noblemen, and the Commons of his Kingdom in his Parliament at *Weſtminſter*, in the Thirty third Year of his Reign, He Ordained and Determined, That no Abbot, Prior, or any other Religious Perſon, of what State, Condition, or Order ſoever he was, under his Power and Dominion, ſhould pay any Rent or Impoſition charged upon them by their Superiors, the Abbots and Priors of Religious Houſes or Places in Foreign Parts; nor that they ſhould go beyond Sea to viſit ſuch Monaſteries under any pretence whatſoever, ſo as the Goods or Revenue of their Monaſteries might any way by Exchange or Merchandize be conveyed out of the Kingdom, upon pain of grievous Puniſhment to ſuch as ſhould do contrary to this Statute in Contempt of the King's Prohibition.

* *Vid* Statute of *Carliſle*, Printed in *Ryleys placit* 1 Parliament *f* 312. and Cokes 2*d Inſt. f.* 580.

The King farther forbad all Abbots, Priors and Maſters of Religious Houſes, *&c.* abroad, under whoſe Subjection the Houſes of the ſame Order were in his Dominions, to impoſe any Payments or Burthens upon them, under Forfeiture of all they had in his ſaid Dominions; yet the King hereby declared, That it was not his Intention to exclude the ſame *Foreign* Abbots and Priors, *&c.* from their Office of Viſiting, concerning thoſe things which belonged to the Regular *Obſervance* and the Diſcipline of their Order; provided that ſuch Viſitors took nothing from the ſaid Monaſteries, Priories or Houſes they thus viſited, or carried any thing out of the Kingdom, but their moderate and reaſonable Expences.

Theſe Ordinances and Statutes, though they were made the 34th of *Edw. I.* at the laſt Parliament, yet the Publication and Confirmation of them was ſuſpended until this Parliament at *Carliſle*, that ſo they might proceed with more mature Deliberation; after which, and upon a full Debate with the Earls, Barons and other Nobles and * Commons of his Kingdom, by their unanimous Conſent He Ordained and Determin'd, That this Statute ſhould take Place from the Firſt day of *May* next coming; and then it was ſent to all the Sheriffs in *England*, to be Publiſhed as a Law made for the Common Benefit of the People, and Melioration of the State of the whole Kingdom. Witneſs the King at *Carliſle* the Twentieth day of *March* in the Five and thirtieth Year of his Reign.

* *Communitatibus.*

Then followeth upon the ſame Roll, as alſo in our Printed Statute Books of later Editions, (for it is omitted by *Raſtal* and all other old *Engliſh* Collections of Statutes) that notable Act, which was then made to prevent the *Abuſes* and *Oppreſſions* committed by the Pope and Court of *Rome*, concerning their unjuſt and unneceſſary *Proviſions* for ſupplying of Biſhopricks, Abbies and other Eccleſiaſtical Benefices, before they became vacant; for which I refer you to the Statute it ſelf, which being very long, I ſhall here Abridge it.

Firſt, it is therein recited, That it appears upon the Joint Petitions of the Earls, Barons and *Commons*, that *Holy Church* in this Nation had been founded in the State of Prelacy by the King's Predeceſſors and Progenitors, as alſo of the Earls, Barons and their Anceſtors, to inform the People in the Holy Faith, and for Prayers, Alms and Hoſpitality, to be ſaid, done and kept in the Places where the Churches were founded, for the Souls of the Founders and their Heirs, and all Chriſtians; and that certain Poſſeſſions and Lands in Fee and Advouſons, to a very great Value, were aſſigned to the Archbiſhops, Biſhops, Abbots, Priors and other Houſes of Religion, and the reſt of the Parties abovementioned; and that they in the time of Vacancy of ſuch Prelacies and Houſes, as Lords and Advouees, (or Patrons) had, and ought to have the Preſentments and Collations of all Manner of Benefices of the Advouſon or Patronage of ſuch Prelates, to give them to ſuch *Engliſhmen*,* who had Offices or Places under the King and the Great Men above ſaid, for their Knowledge and Advice, when they had occaſion to make uſe of them: Yet that the Pope that then was, had appropriated to Himſelf the Gifts of ſuch Poſſeſſions and Benefices by his *Proviſions* and Reſervations, and gave and granted away Dignities, Prebendaries and Churches, to ſuch as never reſided in *England*, and to Cardinals and Others, as well ſtrangers as *Engliſhmen*, who could not reſide here; as if He had been true Patron and Advowee of Right, as He was not: By which things, if they ſhould be ſuffer'd, within a ſhort time there would be no Benefice in the Gift of ſuch Prelates, but by ſuch *Proviſions* would come into the hands of Strangers contrary to the Will and Intent of the Founders; and ſo the Elections of Archbiſhops and Biſhops would fail; Prayers, Hoſpitality and Alms, which ought to be perform'd, would ceaſe; and the King himſelf, and other lay Patrons, in times of Vacancy, would not only loſe their Preſentments and Collations, but the Goods or Wealth of the Nation would in great Meaſure be carried out of it, to the Undoing of the State of the Church of *England*, and the Diſinheriting of the ſaid King and his Crown, and the Nobles of the Realm, and to the Deſtruction of the Laws and Rights of the Kingdom to the great Oppreſſion of the People, and Subverſion of the State of the whole Kingdom, and expreſly contrary to the Will and Ordinance of the firſt Founders.

* *i. e.* were of the King's Council or in other Civil Employments.

Wherefore by the Aſſent of the Earls, Barons, Nobles and Commonalty, conſidering entirely the Errors and Dammages aforeſaid, in the ſaid Parliament of *Carliſle* it was Provided, Ordained and Decreed, That the forenamed Grievances, Oppreſſions, Damages and Errors, from thenceforth ſhould not be ſuffer'd to be done in any manner; whereupon his ſaid Grandfather by his Writs had forbad all ſuch whom it concern'd to attempt or do any thing that might turn to the Blemiſhing of his Royal Dignity, or in Prejudice of the Nobles or his People; and further He Commanded all Sheriffs by his Writs, That if by Enqueſts taken any could be found doing to the contrary, they ſhould take their Bodies and bring them ſafely before Him at a certain day, there to Anſwer as well Himſelf as Others that would complain againſt them, and to do and receive farther what the Court ſhould award in this Caſe.

But King *Edward* dying immediatly after the making of this Statute, and his Son's Reign being for the moſt part taken up with Civil Diſſentions, this Act was never put in Execution during his time, nor yet in that of *Edward* the 3d, till his 17th Year; when it was with ſome alterations revived: But this alſo proving ineffectual, it was farther enforced and confirmed the Year following; but yet it was never executed ſo ſtrictly as it ought to have been, all his Reign.

The end of the Reign of King Edward I.

THE

THE
General Hiſtory
OF
ENGLAND
BOTH
Eccleſiaſtical and Civil.

VOL. III. BOOK X.

Containing the Reign of King *Edward* II.

Anno Dom. MCCCVII

The great Loſs that the Death of the late K. *Edward* now proved to the Nation.

THE unexpected Death of King *Edward* the Firſt, in the beginning of his Expedition againſt the *Scots*, as it proved an irreparable Loſs and Grief to his own Subjects, ſo it was of very great Advantage and Satisfaction to their Enemies; who thereby, not only got time to breath and recruit their weak and ſcattered Forces, but alſo, within a few Years after, were enabled wholly to caſt off the *Engliſh* Yoke: For *Edward* the Second, his Eldeſt Son, who was between three and four and twenty Years of Age, ſucceeding the King his Father, obſerved none of thoſe Injunctions which he had left him; and although his Deſire of having his Body carried about into *Scotland*, ſeem'd no otherwiſe than the doting Fancy of an Old Man upon his Laſt Bed, and ſo might be thought of no great moment, yet certainly a vigorous proſecution of the War againſt that Nation, would have been a matter of the higheſt importance, both for his own Honour, and the Security of his Kingdom: But the New King, inſtead of going in Perſon againſt them, as he ought to have done, were it but in obedience to his Dying Father's Commands, only made ſome faint Offers towards a War; [1.] for immediately returning to *Carliſle*, to make freſh Proviſions for his *Scottiſh* Expedition, [2] there came to him *Patrick* Earl of *Dunbar*, who quitting King *Robert*'s Intereſt, ſubmitted himſelf, and did his Homage to King *Edward*. Then on the firſt of *Auguſt*, the New

His Son obſerves none of his Injunctions.

[1.] Chron de *Lanercoſt*, in Bib Cott.

The Earl of *Dunbar* ſubmits himſelf to King *Edward* 2d.

[2.] Annal. Monaſt. S. Auguſtin.

He makes as if he would have carried on the Wars againſt the *Scots* in his own Perſon, but upon the arrival of *Pierce Gaveſton* leaves it to his Lieutenant.

* Vid. Charta. Penes Remem. Reg. in Scacc.

King began his March towards *Scotland*, having already ſummon'd all the Nobility of that Kingdom to meet him at *Dunfrees*, and do their Homage; whereupon ſeveral of them, more for fear than love, came thither to him, and perform'd that Duty: But when he had put his Army into three Diviſions, as if he would have immediately perſued the Enemy; upon *Pierce Gaveſton*'s Arrival from *France*, being over-joy'd to ſee him, He not only called him Brother, and preſently made him Earl of *Cornwall*, and Lord of the Iſle of *Man*, (to the great grief and mortification of all the Nobility) but was ſo wholly taken up with this Favourite, as that if there were no more Buſineſs to be done, all farther thoughts of carrying on the War by himſelf in Perſon, were laid aſide, and it was left to be managed by his Lieutenant, being contented with thoſe outward formal Submiſſions of ſome of the *Scottiſh* Lords: He then appointed *Aymeric de Valence*, Earl of *Pembroke*, Guardian of the Kingdom, or at leaſt that part of it that remain'd under his Obedience (as appears by the * Charter or Commiſſion under the Great Seal) and went back again into *England*.

[3.] Chron. de *Laner*. MS.

King *Robert* returns into *Galloway*, and makes the Inhabitants pay him great Contributions

But not long after his Departure [3.] King *Robert* leaving his Retreats in the Mountains, marched down into *Galloway*, attended by his Brother, the Lord *Edward Bruce*, with a powerful Army, and made all the Inhabitants of thoſe Parts pay great Contributions to avoid burning and plundering.

[4.] *T. W.*

His Arbitrary Proceedings againſt the Biſhop of *Litchfield*, the late Treaſurer, and for what Cauſe.

Id. ib. *T. W.*

But to return to our own Affairs: One of the firſt things I find the New King perform'd after his coming to the Crown, (and before his Father could be buried) was, [4.] his Arbitrary and ſevere Proceeding againſt *Walter de Langton* Biſhop of *Cheſter* (as my Author calls him) but indeed of *Litchfield* and *Coventry*, late Treaſurer of *England*, and Executor of his Father's Teſtament; for he cauſed him to be cloſely impriſoned in *Wallingford*-Caſtle, and all his Goods to be ſeized, and exacting a ſtrict Account of his Treaſurerſhip, appointed certain Juſtices to enquire into all his Actions; and he had utterly ruined him, if the Pope had not interceded on his behalf; but he having heard his Charge, he ſo fully anſwered whatſoever was objected againſt him, that nothing blameworthy could be faſtened on him; ſo that upon his Holineſs's Mediation, he was reſtored to his Goods, and the King's half Favour. This did not fall out till about three Years after, But not to make a Breach in this Relation, I have choſe to put it here altogether. As for the occaſion of this Biſhop's Diſgrace, it was ſaid that in the late Reign, he had given the King, when Prince, ſome Reprimands for divers foul Irregularities which he had been guilty of, and had alſo endeavour'd to reſtrain him in his Extravagant Expences, and looſe way of Living; which being imputed to his Servants, who had too great an influence over him, (as the Chronicle of St. *Auguſtine*'s Abby relates) the King not only made him turn away ſeveral of them, but forbad him his Preſence for ſome Days.

The King obtains a Diſpenſation from the Oath he had taken, that *Gaveſton* ſhould never return..

[5 Chron de Lan.

But indeed the main Reaſon of the Biſhop's Diſgrace, was, becauſe he was ſuppos'd to have had the Chief hand in the Baniſhment of *Pierce Gaveſton*, for whoſe Return the King had now obtained the Pope's Diſpenſation, from the Oath he had made to his Father to the contrary: And his Kindneſs to his Favourite did ſo highly encreaſe every day, that beſides the Lands belonging to the Earldom of *Cornwall*, which were then in the Crown, [5.] he gave him alſo the Wardſhip of the Perſon and Eſtate of *Gilbert* Earl of *Gloceſter*, then a Minor; ſo that the King's Fondneſs was ſo great, that he could ſcarce be ever ſeparated from him as long as he lived; though it was very ſuſpicious, that his Dutiful Regards to the King were chiefly for his own Intereſt; [1.] ſince he had the Confidence, through the King's Indulgence, to take the Treaſure and Jewels of the Crown, and deliver them to certain Foreign Merchants, to be tranſported abroad for his own Uſe. And * *Walter Hemingford* farther relates, That he beſtowed upon him all the Money which the late King had hoarded up, amounting to a hundred thouſand Pounds.

Anno Dom. MCCCVII.

[1.] Chron. MS. de Eveſham, in B i. Bodleian.

* In Chron. MS. in Bib. S. Trin. Cantab.

Then * fifteen days after *Michaelmas* the King held a Parliament at *Northampton*; for the Proceedings [1] of which, we muſt be beholden to our Hiſtorians, ſince we have no Records of it left upon the Rolls: and they [2.] inform us, that the King did here again confirm to *Pierce Gaveſton*, the Title of Earl of *Cornwall*; and it was then likewiſe ordain'd, that the Coin of the late King *Edward*, though much diminiſhed in Weight, ſhould ſtill paſs currant, as formerly, upon pain of Life and Members: And at the ſame time the Clergy gave the King a Fifteenth; and the Laity, together with the Citizens and Burgeſſes, a Twentieth Part of all their Movables; to which an * *Anonymous* Manuſcript Author likewiſe adds, how the King farther ordain'd, That a ſtrict Peace ſhould be preſerved in his whole Kingdom, and that the Statute of *Weſtminſter*, which was made for that end, ſhould be obſerved in all its Articles: And moreover, appointed the day of his Father's Funeral to be on the *Friday* before the Feaſt of *All-Saints*, next coming; to which divers Perſons of both the Kingdoms of *England* and *Scotland*, and ſeveral other Countries, out of curioſity reſorted. But I need ſay no more of this here, having already mentioned it under the former Reign.

*Rot Clauſ. 1 Ed. 2. M 11. dorſ.

[2.] Chron. de Lan.

The K. calls a Parliament at *Northampton*; with the Tranſactions of it.

* In Bib. Bodleian. int. dig. P 170.

Not long after [3.] the King beſtowed his Niece *Margaret*, Siſter to the Earl of *Gloceſter*, on his Favourite the New Earl of *Cornwall*, who upon the Wedding-day held a great Tournament at *Wallingford*; where though he appeared in great Splendor, yet (as my Author ſays) he was ſtill encompaſſed with ſo great a Troop of Knights, his Partakers, that there was no faſtening ſo much as the Stroke of a Lance upon him, which was a great blot to his Honour. Upon this Marriage, the King then alſo beſtowed upon him the Honours of *Tickel* and *Berkhamſtead*, with divers other Lands; which encreaſed the Hatred and Envy of all the Nobility, to ſee a Man of Ordinary Birth, and no Extraordinary Qualities, by the Partial Favour of his Prince, to obtain ſuch great Honours, as well as Eſtate.

[3] Id. Ib.

The King marries his Neice, Siſter to the Earl of *Gloceſter*, to the new Earl of *Cornwall*.

The reſt of this Winter being only ſpent in Feaſtings and Jollity, I paſs over; but in *Scotland* the King's Forces met with better ſucceſs than could be expected, the ill poſture of his Affairs conſidered; [4] for, the Earl of *Pembroke* having ſurrender'd his Commiſſion of General, and returning into *England*, the King beſtowed the Government of *Scotland* upon *John* Earl of *Bretaigne*, who raiſing a freſh Army, marched againſt the *Scots*, and engaging with their King *Robert* about *Martinmaſs*, put him and his Forces to flight, ſo that he was fain for ſafety, to have recourſe to his wonted Receſs, the Bogs and Mountains. This Action is the more remarkable, becauſe I find it not mentioned in any other Writer, either *Scottiſh* or *Engliſh*; yet it is certain, he ſoon recruited his Forces, and recover'd his former State; for not long after [5.] he, together

[4.] Id. Ib.

John Earl of *Bretaigne* obtains a Victory againſt the *Scottiſh* King, and makes him again fly into the *Mountains*.

[5] Chron. de Lan.

Anno Dom. MCCCVIII.

gether with the Lord *Edward* his Brother, entred *Galloway*, and made all the Inhabitants pay him a great Ranſom or Tribute to eſcape plundering, &c.

[1.] *T. W.* The King prepares to paſs over into *France*, to marry that King's Siſter, and leaves the E of *Cornwal* Lieutenant of the Kingdom.

* Rot. Pat. 1 *Ed.* 2. part 2. *M.*28. printed in Dr. *B*'s Appen. to his 2d. Vol. n. 49.

[1.] King *Edward* kept his *Chriſtmas* at the Mannor of *Wye* (belonging to the Abbot of *Battle*-Abby) with great magnificence and Luxury; as being a Prince, who much more Minded his Pleaſures, than any Serious Buſineſs. After that Solemnity was over, he reſolved immediately to paſs beyond Sea, in order to marry the Daughter of the King of *France*, and by his * Commiſſion appointed, his Favourite the Earl of *Cornwall*, his *Guardian or Lieutenant of the Kingdom, during his Abſence, with a very large Power of granting to all Cathedral and Conventual Churches Licenſe to chuſe Paſtors (that is, Biſhops and Abbots) and of giving his Conſent and Confirmation to ſuch Elections; as likewiſe taking the Fealties, and reſtoring the Temporalities to ſuch Elected Perſons; as alſo of beſtowing all Prebends and Benefices belonging to the Crown; and laſtly, of diſpoſing of all Lordſhips, receiving the Fealties of ſuch Wards as held of him* in Capite, *when the Heirs were of full Age, and thereby giving him full Authority ſo to do.* This Patent bears date at *Dover*, the 18th of *January*, and is upon Record in the *Tower*; which though Dr. *Brady* hath cited, and publiſh'd in his Appendix, yet he hath not thought fit truly to recite all the Particulars contain'd in this Commiſſion, as he ſhould have done.

[2.] *T. W.* King *Edward* goes over to *Boloigne*, and there having done his Homage, marries the Lady *Iſabella*.

So ſoon as the [2.] King had paſſed this Commiſſion, he immediately took Shipping, and went over to *Boloigne*, to meet *Philip* King of *France*; and when he had perform'd his Homage to him for the Dutchy of *Aquitain*, and Earldom of *Ponthieu*, on the five and twentieth of *January*, he married *Iſabella* his Daughter, there being then preſent no leſs than four Kings, *viz. Philip*, Father to the young Princeſs, the King of *Navarre* his Son, the King of the *Almans* or *Romans*, and the King of *Sicily*, not to mention the two Queens of *France* and *Navarre*, beſides a great Number of the Nobility of both Nations; inſomuch, that there was never ſeen a more magnificent Wedding: And it was indeed a wonder, how ſo ſmall a Town as that, ſhould be able to receive and lodge ſo many great Princes at one and the ſame time.

[3.] Chron. Abing. The King returns into *England*, and ſhews the Earl of *Cornwal* ſo great Favour, as makes the reſt of the Nobility contrive his Ruin.

After [3.] the Marriage Solemnity was well over, the King with his New Queen returned into *England*, where upon his Landing, all the Great Men of the Kingdom that had not accompanied him into *France*, came to congratulate them; but he ſhewed to none there preſent ſuch high Marks of his Favour, as he did to the Earl of *Cornwall*; which ſtirred up the Envy and Hatred of the Nobility to that degree, that not long after it broke out againſt him.

[2.] *T. W.* The Earls and Barons deſire the King to remove *P. Gaveſton* from his Preſence, and Councils; otherwiſe threaten to hinder his Coronation.

For [2.] the day before the Coronation, the Earls and Barons being aſſembled, conſulted together concerning the State of the Kingdom; and as the beſt Means for its Settlement, they then beſought the King, *That he would pleaſe to remove* Pierce Gaveſton *from his Preſence and Councils*; and upon his Denial, they reſolved to put a ſtop to his Coronation; which the King underſtanding, He ſo far comply'd, as to promiſe them *bonâ fide*, that in caſe his Coronation might not be deferr'd, He would yield to whatever they ſhould require of him in the next Parliament. This Paſſage is omitted by Dr. *Brady*, tho' ſet down at large by *Walſingham* (whom he commonly cites); but what his Reaſon was for this Omiſſion, he beſt knew.

Anno Dom. MCCCVIII.

Then [3.] on the 25th of *February*, the King with his new Queen were Crown'd at *Weſtminſter* with mighty Pomp, by the Biſhop of *Wincheſter*, being Authorized to perform that Solemnity by a ſpecial Commiſſion from the Archbiſhop of *Canterbury*, who was then at *Avignon*: There were preſent at this Coronation the Lord *Charles*, and the Lord *Lewis* of *Clermont*, Brothers to the King of *France*; the Dukes of *Brabant*, and Earl of *Savoy*, with divers other great Lords and Ladies of both Kingdoms: And that which was moſt taken notice of at this Solemnity, was, That the [4.] new Earl of *Cornwall* carried the Crown of St. *Edward*: This, together with the ſplendid Garb he then appeared in, above the reſt of the Nobility, ſerved to provoke them more againſt him than ever.

[3.] *Id. ib.* The K. and Q. are Crown'd at *Weſtminſter*; at which *P. Gaveſton* incurs greater Hatred.

[4] Chron. S. Aug. in Bib. Bened.

I find nothing elſe worth noting under this Year, [5.] but that our Author places the Tournament which *Pierce Gaveſton* held at *Wallingford*, preſently after the King's Coronation; whereas the nameleſs * Author above-mention'd, places both that and his Marriage with the Earl of *Gloceſter*'s Siſter, before that time, as I have already obſerved. But whenever it was, it is agreed on all hands, that he by the means of thoſe Foreign Knights that took his part, was then too hard for the Chief Noblemen of *England*, who are there named; *viz.* the Earls of *Hereford*, *Pembroke*, *Lancaſter*, and *Surrey*; who being all highly provoked by their late Affront, as alſo for ſome Nicknames, and other ſcurrilous Language he had given them, from that time forward conſpired how they might ruin this Inſolent Favourite.

[5] *T. W.*

* In Bib. Bod.

Gaveſton holds a great Tournament.

But the Chronicle of St. *Auguſtin*'s * in *Canterbury*, (already cited) gives a different Account of this Tournament, and the Conſequences of it; which he ſays was held at *London* preſently after the Coronation; when the King, being concern'd for the ſafety of his Minion, becauſe the Earl of *Lancaſter*, and the reſt of the diſcontented Barons were of the contrary Party, commanded the Gates of the City to be ſhut all the day, that none of the *Engliſh* or *French* Lords (of whom there were many now come over) ſhould go out to hold the Tournament, according to their appointment: Which ſo diſpleaſed theſe *French* Noblemen, that they immediately return'd home. Upon which the Favourite became ſo inſolent, that the Earls of *Lincoln*, *Hereford*, and *Pembroke*, not being able any longer to endure it, got together their Retinues, and broke into the *New Temple* (where he then lodged), but he having had ſome Intimation of their Deſign, was before retired to *Wallingford* Caſtle; and not thinking himſelf ſafe there neither, went to the King (who was then at *Windſor*) for his greater Security: But the Earls above-mention'd, with other Barons of their Party, not finding the Favourite where they expected him, were reſolved to ſeize him whereever they could; ſo meeting at *Ware*, they went from thence to *Northampton*, and iſſued out Summons to the reſt of the Barons to come thither to a Treaty or Council, which they intended to hold there concerning the great Affairs of the Kingdom; threatning thoſe who ſhould neglect to come in to them, with no leſs than the plundering and deſtroying of their Houſes and Eſtates. So that the King, not having any Forces to oppoſe them, was forced to ſummon a Parliament to meet fifteen days after: Which being met accordingly, [1.] divers Articles were laid to the Charge of this Favourite; as, abuſing of the King's Ear, by obtaining immoderate Grants for himſelf; his imbezzling the Trea-

* In Bib. Ben.

Another Relation of this Tournament.

The Earls of *Lincoln*, *Hereford*, &c. not able to endure this Favourite's Inſolence, reſolve to ſeize him; which he avoids by flying to *Wallingford* Caſtle.

The diſcontented Lords hold a Council at *Northampton*.

The K. forc'd to ſummon a Parl. where divers Articles are laid to his Charge.

[1.] Chron. John Trielow, *cited by* Stow.

[2.] Chron. S. Aug.

Treaſure of the Kingdom, and taking the beſt Jewels of the Crown to his own Uſe. Then [2.] the King hoping to divide the Barons, and take off ſome of thoſe that had been leaſt provoked, offer'd the Archbiſhop of *Canterbury*, the Biſhop of *Durham*, with the Earls of *Lancaſter* and *Hereford*, that he would refer all Differences to them, and confirm whatſoever they ſhould judge moſt fit to be done on this Occaſion: But theſe Biſhops and Lords would not undertake the Odium of that Arbitration, but ſaid, they would act nothing without the general Conſent of all the reſt of the Barons, who would not be ſatisfied with any thing leſs, than that the Earl of *Cornwall* ſhould immediately quit the Kingdom: Which the King delaying to grant, they were about to take Arms; But fearing the evil Conſequence of a downright Denyal, [3.] after great Diſputes between the King and the Great Men of the Kingdom, he was at laſt forced (though much againſt his Will) to agree to the Baniſhment of his Favourite out of *England* for ever: All the Kindneſs he could then obtain for him, being only that he might go over and continue in *Ireland*: Which Sentence was paſſed againſt him about the Feaſt of *Aſcenſion*, and he had time given him until the day after that of St. *John Baptiſt* (or Five and twentieth of *June*) for his going over.

[3.] Contin. Nich. Trivet in Bib. Offic. Herald.

The King is forced to conſent to his Baniſhment.

A difference among our Hiſtorians concerning the time of his Baniſhment.

[4.] In Angl. Sacra, Vol. I.

* Int. Laud. K. 84.

There is, I confeſs, ſome difference amongſt our Hiſtorians, both in Print and Manuſcript, about the time of this Tranſaction: *Walſingham* (whom Dr. *Brady* follows) places the firſt Baniſhment of *Pierce Gaveſton* under 1311 (as it is falſly put in the printed Copies), and makes his firſt Baniſhment into *Ireland*, and that into *Flanders*, to have happen'd all in the ſame Year, which is a great Miſtake: For the [4.] Annals of *Worceſter*, written by a Monk of that time, place his going over into *Ireland* under this Year; as do alſo *Ranulph Higden*'s *Polychronicon*, and *Adam Murymuth*'s Manuſcript Chronicle of this King's Reign: And though it does not directly ſay that he was baniſhed this Year, yet ſets down his Return from Exile under the next. But to put this matter out of doubt, I ſhall give you the Authority of an Antient * Chronicle in the *Bodleian* Library, (often cited by Sir *William Dugdale* in his Baronage of *England*) ſuppoſed to belong to the Abby of *Eveſham*.

* Vid. Rot. Clauſ. 1 Ed. 2. m. 8. dorſ. Yet it is proved to have hapned under this Year.

This Chronicle (under this Year) relates, That the King holding his Parliament at *London* about the Feaſt of *Aſcenſion*, was by certain * Letters ſent from the Pope, as alſo at the general Requeſt and Importunity of the Barons, forced to conſent that *Pierce Gaveſton* ſhould quit the Kingdom the Morrow after *Midſummer*-day, and never to return more. And the Continuator of *Nicholas Trivet's* Chronicle farther adds, That the Earls of *Lincoln*, *Gloceſter*, *Hereford*, *Warwick*, *Arundel*, *Pembroke* and *Warren*, with many Barons and Great Men who had met at the *New Temple* in *London*, were not only content with this his Baniſhment, but fearing leſt the King ſhould procure his Return, cauſed him to make theſe following Letters-Patents under his Great Seal.

[5.] Id. ib. The King's Letters Patents for his Baniſhment.

[5.] '*Edward*, by the Grace of God, King of *England*; To all who
'ſhould ſee theſe preſent Letters, Greeting, &c. We make known unto
'you by theſe Preſents, That from this time unto the day that the Lord
'*Pierce Gaveſton* is to abjure and depart our Kingdom (to wit) on the
'Nativity of St. *John Baptiſt* next enſuing, we ſhall as far as in us lies
'do nothing, nor permit any thing to be done, whereby the Baniſh-
'ment of the ſaid Lord *Pierce* may be any ways hinder'd or retarded;
'but that according to the Form that hath been ordain'd by the Prelates,
'Earls,

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‘Earls, and Barons of our Kingdom, and confirm'd by Us with our free Conſent, it may be fully perfected. In Teſtimony of which we have cauſed theſe our Letters to be made Patents. Given at *Weſtminſter* the Eighth day of *May*, in the firſt Year of our Reign.

[1.] Id. ib.

[1.] Theſe Letters were read in the Preſence and Audience of the Great Men of the whole Kingdom, on the day above-mentioned: But this was not thought ſufficient; for at the ſame time the Archbiſhop of *Canterbury*, with the other Biſhops and Prelates of the Church, being aſſembled in a Synod, thunder'd out their Sentence of *Excommunication* againſt the ſaid *Pierce Gaveſton*, if he ſhould remain in *England* beyond the day prefix'd; and againſt all ſuch as ſhould preſume to adviſe, aſſiſt, ſuſtain, receive, or adhere to him, or do any thing whereby his ſaid Paſſage over ſhould be hinder'd; with the like Clauſe againſt all who ſhould ſavour, adviſe, or procure his Return.

But ſince this Sentence is expreſs'd at large in the ſaid Chronicle of *Eveſham*, and that it is no where elſe to be found, as well as the King's Declaration above-mention'd, I ſhall from the above-cited Author give you the Subſtance of it, and the Proceedings thereupon: Being to this effect.

The Ordinance of the King, Biſhops, and Peers, concerning the ſame matter.

‘That whereas *Edward* King of *England* had ſummon'd the Prelates, Earls, Barons, and other Great Men of the Kingdom, to his Parliament at *Weſtminſter*, Fifteen days after *Eaſter*, to do and ordain thoſe things which ſhould be for the Honour of God and Holy Church; who all meeting at the ſame place, and divers great Diſſentions then ariſing, to the Trouble of the ſaid Kingdom; of which it being found and appearing, that the Lord *Pierce Gaveſton* was the chief Occaſion; therefore by the Will of the King, and the Conſent of the Prelates, it was ordain'd, That the ſaid Lord *Pierce* ſhould depart the Kingdom on the Morrow after the Feaſt of St. *John Baptiſt* next coming, not to return any more into the ſame: And that the Archbiſhop of *Canterbury*, and the Prelates there preſent, for the better obſervance of the ſaid Ordinance, were deſired by the King, the Earls and Barons, to publiſh the Sentence of the *Greater Excommunication* againſt all Tranſgreſſors of it, to this purpoſe.

The Sentence of Excommunication pronounced by the Archbiſhop and Biſhops againſt all ſuch as ſhould hinder *Gaveſton*'s Departure.

‘The ſaid AB^p, by the Aſſiſtance of his Brethren the Biſhops, in compliance with the deſires of the ſaid King and Lords, and for the Tranquility of the Kingdom, do hereby admoniſh and exhort *Pierce Gaveſton*, That on the day above-mention'd he do depart the Kingdom, according to the Tenor of the ſaid Ordinance and Proviſion; and further commands him, on pain of the *Greater Excommunication*, then immediately to be pronounced againſt him, That he do not preſume to ſtay in *England* beyond the ſaid day, or to enter into it any more after his Departure: With the like Sentence againſt thoſe who ſhould give any Favour, Conſent, or Counſel for his Return, or for his Stay here beyond the ſaid day, or ſhould receive him if he ſo return'd; the Perſons of the King and Queen his Wife only excepted: Yet with Licenſe to the ſaid *Pierce* quietly to remain here, or to paſs through the Kingdom, together with his Family, until the day appointed for his Baniſhment, without any hurt or prejudice to be done to him from the ſaid Earls, Barons, or other Great Men their Adherents.

‘And farther, the ſaid Archbiſhop publickly prohibits all Perſons whatſoever, to do, procure, or accept any thing, whereby the Premi-

‘ ſes may be rendred ineffectual, under pain of the *Greater Excommuni-‘ cation*: And moreover commands all the Biſhops of his Province to ‘ cauſe this preſent Sentence to be publiſhed throughout their Dioceſes. This Sentence bears Date in a Synod held at *Oxford* the nineteenth day of *May*, *Anno Dom.* 1308.

[2.] Ib. The King accompanies his Favourite as far as *Briſtol*; who thence paſſes into *Ireland*.

Then [2] the King, not daring, for fear of the Cenſures of the Church, any longer to retain his Favourite with him, bore him Company as far as *Briſtol*, from whence he went over into *Ireland*, with his Lady and Siſter; the King having aſſign'd him the whole Government of that Countrey for his Maintenance, beſides a great deal of Treaſure which was there ſpent. Yet to give this Favourite his due, he gain'd much Love and Reputation there, by his great Courteſy and Liberality, and by making War againſt the *O Brians* and other Rebellious *Iriſh*, with good Succeſs: And it had been happy for his Maſter, as well as himſelf, if he had ſtill continued in that Kingdom.

[3.] Chron. de Lanercoſt. The *Scots* invade *Galloway*, and ſubdue that Country.

In [3.] the mean while the *Scots* made this uſe of the Diſſentions between the King and his Nobility, that their King *Robert*, with his Brother the Lord *Edward*, again entred *Galloway*, and killing many of the Gentry and other Inhabitants, wholly ſubdued that Country to his Allegiance.

But ſince I find no other Civil Affairs of Moment to have happen'd this Year, I ſhall now give you an Account of the Eccleſiaſtical.

[4] Chron. N. T. The Pope ſends into *England*, in favour of the Archbiſhop of *Canterbury*.

Upon the K's withdrawing the Accuſation againſt him, he is reſtored to his Archbiſhoprick.

[5] Chron. Adam Murymuth's MS. in Bib. Herald.

[4.] *Robert* ABp of *Canterbury* having been for above theſe two Years ſuſpended *ab Officio & Beneficio* by the Pope's Authority, and alſo cited to *Rome*, there to anſwer to what ſhould be laid to his Charge on the late King's behalf (as hath been already related in his Reign) upon his Death, obtain'd ſo much Favour of the Pope, as that he ſent over into *England* to the preſent King, to know if he would proſecute the Accuſation that had been laid by his Father againſt him. To which the King return'd this Anſwer, *That he neither knew of, nor intended to charge him with any Crime, but look'd upon him as his Good Father, and Lawful Paſtor*; whom he much deſir'd to ſee in *England*, that he might again feed and govern his Flock. At this Meſſage the Pope's Diſpleaſure was not wholly abated, but he gave Orders to his Nuncio *William de Teſta*, who had been ſole Adminiſtrator both in Temporals and Spirituals of that Archbiſhoprick during his Abſence, That he ſhould reſtore to him all the Arrears of the Rents and Revenues thereof, that had been received while he was abroad, [5.] ſo that he became Richer than ever he was before; and thus what was deſign'd for his prejudice, turn'd at laſt to his advantage. Then the Archbiſhop having taken his Leave of the Pope, with great Acknowledgments for his Favour and Juſtice, left *Rome*, and arrived in *England* about the latter end of *March*.

The Order of *Knights Templars* diſſolved by the Pope. With a brief Hiſtory of them.

[1.] Matt. Paris, f. 67.

The next matter of Moment I find to have happen'd this Year, is the Diſſolution of that Great and Wealthy Order of the *Knights Templars*; which tho it began the laſt Year in *France*, yet was not proſecuted in *England* until now. But before I give you the Reaſon of its Diſſolution, I ſhall ſet down a ſhort Account of its Original: This Order had its Riſe in the *Holy Land*, *A. D.* 1118. [1.] by the Favour of *Baldwin* King of *Jeruſalem*, who aſſign'd them part of his own Palace, near the South Gate, adjoining to the *Temple* of the Lord, from whence they were called *Templars*. Their firſt Profeſſion was, for the Remiſſion of their Sins, to guard the Highways for the ſafety of Pilgrims, and

ſuch

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Id. p 615.

Mezeray ad hunc Ann.

ſuch as came to viſit the Holy Sepulchre, and to defend them from Thieves and Robbers: And it is reported by the ſame Hiſtorian, that in the ſpace of One hundred and twenty ſix Years, they obtain'd no leſs than Nine thouſand Mannors in *Chriſtendom*. This great Increaſe of theirs in Revenues and Riches, as well as their Neglect and Non obſervance of the firſt Inſtitution of their Order, procured them Envy; their Luxury, Pride, and moſt horrid and deteſtable Crimes, which were reported, and objected to them, raiſed the general Hatred of *Chriſtendom* againſt them: So that within Sixty three Years after, *viz. A. D.* 1307. (when they were then poſſeſſed of Sixteen thouſand Lordſhips) on the Twelfth of *October* laſt paſt, by Command of *Philip* King of *France*, and with the Conſent of Pope *Clement* the Fifth, all the *Templars* in *France* were ſecured, their Houſes, Lands, Poſſeſſions, Goods, Treaſure, Church-Ornaments, and Writings ſeized on, and delivered to certain Guardians, under whoſe Cuſtody and Adminiſtration they remained for ſome time.

*Rot. Clauſ. 1 Ed. 2. m. 12. dorſ.

[1.] H.K. col. 2531.

The *Knights-Templars* order'd by the K and Council to be ſeiz'd all over *England*.

Theſe things were tranſacted the laſt Year in *France* ; and now in *England* (by the like Authority of the Pope) it was * ordain'd by the King and his Council, [1.] 'That all the *Templars* in every County 'in *England*, *Scotland*, *Ireland*, *Weſt-Wales*, *North-Wales*, and Earldom 'of *Cheſter*, but more particularly thoſe in *England*, ſhould be attach'd 'on *Wedneſday* next after the Feaſt of *Epiphany* (or Sixth of *January*) 'and that all their Lands, Tenements, Goods, and Chattels, as well Eccleſiaſtick as Temporal, with their Charters, Writings, and all Muniments, ſhould be ſeized into the King's hands; that their Goods and 'Chattels ſhould be inventory'd and appraiſed, and Indentures made of 'them in the preſence of the Guardian or Maſter of every Place, and in 'the preſence of two lawful men, whereof one to remain with the 'Guardian, and the other with the Sheriff; the Live Stock to be kept 'upon the Premiſes, and the Lands to be plowed up and ſown to the 'beſt advantage: That the Bodies of the *Templars* ſhould be kept ſafe 'in convenient places, other than their own, but not to be put in vile 'and baſe Priſons, unleſs the King ſhould order otherwiſe; and that 'every one according to his Condition ſhould receive a competent 'Maintenance from theſe Goods.' There is alſo contain'd in this Record the manner how this Ordinance was put in execution.

[2.] P. Putean. de la Condemnation des *Templars*, p. 8, 9, 10, 11, & dein.

The Proceedings againſt them in *France*.

Some time before this, the [2.] chief Crimes laid to the Charge of the *Knights Templars* being *Hereſy*, their Cauſe was removed from the Secular Courts in *France*, to the Pope himſelf; wherefore many of the principal *Templars* were carried to *Poictiers*, where the Pope then was; and being there interrogated concerning the Articles laid to their Charge, Seventy two of them confeſſed, that at their Reception into the Order, *they denied Jeſus Chriſt*, beſides many other Crimes, which were ſo horrible, that the Pope would not inſert them in his Bull; yet their Depoſitions were taken in writing, before the Biſhop of *Præneſte* and two Legates ſent into *France*, beſides three Cardinals. Upon this there was alſo by that King's Command, a Commiſſion granted to the Pope's Inquiſitor, and certain Gentlemen of the Country, to examine the reſt of the *Knights-Templers* upon the Articles laid to their Charge; of whom One Hundred and Forty confeſſed, that at their being admitted into the Order, they were made to deny *Jeſus Chriſt*, and ſpit three times upon a *Crucifix* that was preſented to them; and

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A great many of them confeſs the Crimes laid to their Charge.

tho' they forſwore the Carnal Uſe of Women, yet owned that it was Lawful whenever they pleaſed, to have Carnal Knowledge of each other; with divers other Particulars ſo very abominable, that it were nauſeous to relate them: Beſides which, (as ſome of them confeſſed) they Adored a Wooden Head gilt, with a great Beard; which was only brought forth at their General *Chapters*.

* Ad A. D. 1311.

[3.] P. Patean. ib. p. 38, 39, & dein.

The reſt of the Proceedings againſt them in *France*.

Much the ſame Crimes were alſo laid to the Charge of the *Knights-Templars*, ſome time after, in *England*, as **Walſingham* relates; who tho they confeſſed the Common Fame or Report, yet denied the Matter of Fact; of which you will hear more hereafter. But [3.] as for thoſe in *France*, the Author firſt cited tells us, the Grand Maſter *James de Molay*, or *Mauleu*, and *Hugh de Peraldo*, being examined among the reſt, confeſſed the ſame Crimes; and there were but Three of the whole Number, who affirm'd they had never ſeen any Ill in the Order. Yet nevertheleſs a freſh Examination of this Affair was ordered by the Pope, before certain Biſhops and other Clergymen, appointed by him as Commiſſioners for that purpoſe; who having cauſed the great Maſter of the Order, with his Superiors and the reſt of their Brethren, to be brought before ſome of them at *Paris*, *Penzard de Gyriac* one of the Superiors told the Commiſſioners, that the *Templars* in many Places had been grievouſly Racked; that all they had confeſſed was for Fear of Death, and that ſome of them died amidſt their Torments.

[4.] Ib p. 47.

The Sentence that was given in a Council in *France* againſt them.

[4.] And not long after, a Provincial Council of the Clergy of the Province of *Sens* being held at *Paris*, the Cauſe of the *Templars* was there again heard, and after a long and tedious Proceſs, divers of them were ſentenced, ſome to Penance, others to end their Lives between Four Walls; and Fifty Nine of them being degraded were deliver'd over to the Secular Power, and by that condemned to be burnt alive; the Chief of whom were the Great Maſter and ſeveral other Superiors of the Order; who at their Execution declared themſelves Innocent, and all that had been laid to their Charge was falſe; to the great Aſtoniſhment of all there preſent.

[5.] Ib.

Four of the Knights offer to juſtify their Order.

Beſides theſe [5.] there were Four more of the Chief Knights who offered to defend their Order, and by their Procurators averr'd, that the Articles ſent by the Pope were deteſtable and wicked Lies, made and forg'd by ſome falſe Brethren and Enemies to the Order. And that the King of *France* firſt, and then the Pope had been deluded and impos'd upon by theſe men. That the Brethren of the *Temple* that had confeſſed and told ſo many Lies, had done it for fear of Death and Torments; as being hired and ſuborned ſo to do. And laſtly, they proteſted againſt whatſoever the Fugitives or Apoſtates from their Order, who had been caſt out for their Wickedneſs, ſhould depoſe againſt them, and whatever thoſe their Brethren that were impriſoned, as alſo thoſe that were corrupted by Money, Promiſes, or terrified by Fear of Death, ſhould confeſs to the Prejudice of their Order. Theſe and many other things contain'd in the Reaſon and Article of Defence deliver'd in Writing to the Pope's Commiſſioners, the Reader may find at large in my Author cited in the Margin. But they all proved of none effect; for Pope *Clement* by his Bull wholly diſſolved the ſaid Order, and about Eleven Years after procured his Sentence to be confirm'd by a General Council held at *Vienne* in *Dauphine*; as ſhall be mentioned more at large hereafter.

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But however guilty divers particular Members of this Order might have been, yet it is next to incredible to believe, that they ſhould almoſt all of them be ſo; not only of denying *Chriſt*, but of falling into direct Idolatry: And as for thoſe in *England* [1.] *Thomas Stubbs* in his Account of the Acts of *William Greenfield*, then Archbiſhop of *York*, gives this very ſhort Account of it. That at the Provincial Synods held at *London* and *York*, before the Archbiſhop and Biſhops of thoſe Cities, the *Templars* were ſolemnly cited and examined by the Pope's Apppointment, upon certain Articles framed againſt them; to which they gave competently Satisfactory Anſwers; and tho' they were accuſed of many Crimes, yet nothing was found for which the Order might ſeem juſtly to be diſſolv'd. So that it is very probable, the Pope and King of *France* envying the Riches, as well as Magnificence and Pride of this Order, might agree together to diſſolve it, that ſo they might ſhare their Wealth and great Revenues between them. And as the Pope had all their Moveable and Perſonal Eſtates, ſo the King of *France* hoped to have poſſeſſed himſelf of their Real: For * *Walſingham* gives us this ſhort Account of the whole Matter; That *Philip* King of *France* thought to have made one of his Sons King of *Jeruſalem*, to obtain for him all the Rents and Revenues of the *Knights-Templars*; therefore upon this Occaſion he cauſed many of them, and the Great Maſter of the Order, to be burnt in his own Kingdom, and procured the whole Order to be diſſolved in the Council of *Vienne*: But he miſſed of his Purpoſe; and the Pope not without a great Sum of Money gave them to the *Hoſpitallers*: But of this more hereafter. In the mean time (I hope) what I have here ſaid will not ſeem tedious to any Curious Reader, who perhaps may be deſirous to know the Beginning, Progreſs, and Diſtinction of this Great Military Order, which in former Ages, made ſo great a Figure, not only in *Europe*, but in *Syria* and *Paleſtine*.

[1.] X. Script. Col. 1730. n. 10, 20, 30

Tho. Stubbs's Juſtification of the *Templars*.

* Ad. A. D. 1311.

Walſingham's Account why the K of *France* was ſevere againſt them.

As for the Affairs of *Scotland*, I find nothing conſiderable done there, [2.] But that about the latter End of this Year, King *Robert*, during the Diſſentions between the Barons and King *Edward*, returned from his Faſtneſſes in the Mountains; and becauſe *Edward* was not as yet in a Condition to march againſt the *Scots*, he ſent about *Chriſtmas* the Earl of *Glocester* with ſome other Noblemen to make a Peace with King *Robert*; but all they could then procure was a Truce, to continue no longer than till the Feaſt of *All-Saints* next enſuing.

[2.] Chron. Wal. Hemingford in Bib. S. Trin. Cantab.

The K. & Barons deſire Peace of the K of *Scots*, but obtain only a ſhort Truce.

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In the Beginning of this Year, the *Scots* obtain'd ſo much Favour at *Rome*; [3.] that in *Lent* there came certain Nuncio's from the Pope (who had ſometime before abſolved King *Robert* for his Murther of the Lord *Comyn*) to King *Edward*, to require him not to moleſt the *Scots* any further; and he likewiſe ſent other Nuncio's to the *Scottiſh* King, to order him to keep the Peace, and on that condition he ſhould quietly enjoy whatſoever he had won from the *Engliſh* in *Scotland*. But he did not at all regard thoſe Propoſals, but went on Conquering more Places in *Scotland* during the greateſt Part of the enſuing Summer, when there was another Truce concluded between him and King *Edward* for ſome Months. But the King had then other Affairs in his Head: For being very Melancholy for want of *Pierce Gaveſton's* Company, which he had been for ſome time deprived of, ſent for him over from *Ireland* in Autumn; and he returning into *England* about the beginning of *September*, the King upon the News of it was ſo well

[3.] Chron. Lan.

K. *Robert* is abſolved by the Pope's Nuncios for the Murther of L. *Comyn*; and the Pope alſo ſent Nuncios to him, commanding him not to moleſt K. *Edward*, who is forc'd to make a Truce with him.

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[4] Chron. S. Aug.

P. Gaveſton returns into *England*, which diſcontents the *Engliſh* Nobility.

well pleas'd, that he took a Journey as far as *Cheſter* to meet him, and brought him along with him into the *South* Parts of the Kingdom; where he Adviſed and Govern'd as entirely as he did before. [4] Which was ſo highly ſtomach'd by the Nobility and Clergy, that the Archbiſhop of *Canterbury* would not be preſent in any Parliament this Year, not only upon this Account, but becauſe the King at that time ſtill unjuſtly detain'd *Walter* Biſhop of *Coventry* cloſe Priſoner at *York*, for the Reaſons already mentioned, contrary to the Rights and Privileges of the Church at that Time.

† Rot. Clauſ. 2 Ed. 2. m 4. in Scedula.

* Eod Rot.

A Parliament after *Eaſter*, wherein the K. confirms *Magna Charta*.

[5] C. *W. H.*

* Eod. Rot.

And it appears from the † Rolls of this Year, which is alſo mentioned in *Hemingford*'s Chronicle, that there were ſeveral Parliaments, or Great Councils then held; which are not mentioned in our Printed Hiſtorians; as particularly, * that Parliament at *Weſtminſter* in the Beginning of *Lent*, which was afterwards Adjourned till a Month after *Eaſter*; [5] wherein the King confirm'd the Great Charter, and that of Foreſts; in Conſideration of which the Lords and Commons then Granted him the Twenty Fifth Penny of all their Perſonal Eſtates: Yet they would by no means agree that *Pierce Gaveſton* ſhould be Earl of *Cornwall*, or continue in *England*.

Another great Council at *Stanford*, where the Lords are more favourable.

[5] C. *W. H.*

* Rot. Clauſ. 3 Ed. 3. m. dorſ.

And not long after this, another * Great Council or Parliament was held at *Stanford* on the Twenty Sixth of *July*, to Suppreſs *the Malice of the* Scots; tho' I do not find any thing done in purſuance thereof, [5] only that the King ſo far prevail'd with the Major Part of the Nobility there preſent, that they were content *Pierce Gaveſton* ſhould enjoy the Earldom of *Cornwall* during his Life; and this I ſuppoſe he procured by giving Gracious Anſwers to thoſe Articles of Grievances which had been preſented to him in the Laſt Parliament at *Weſtminſter*, tho' he did not promiſe to ſee them Redreſſed till this at *Stanford*.

[1] C. *W. H.*

The K holds a Council at *York*, to which the Noblemen of the oppoſite Party refuſe to come.

[1.] After this the King held a Council of ſome of the Nobility of his Party on the Eighteenth Day of *October*, at *York*, but to this Meeting the Earls of *Warwick*, *Lancaſter*, *Oxford*, *Lincoln* and *Arundel* refuſed to come, becauſe *Pierce Gaveſton* appear'd there as Earl of *Cornwall*: Which ſhews that either theſe Lords were not preſent, or elſe did not agree to what the reſt of the *Barons* had done juſt before.

Walſingham, as alſo *Hemingford*, place the Marriage of *Pierce Gaveſton* with the Siſter of the Earl of *Gloceſter*, preſently after his Return out of *Ireland*, aud the late Council at *Stanford*, in which they are miſtaken; for the two Manuſcript Chronicles in the *Bodleian* Library, do more rightly place it the Autumn before the King's Coronation, when not long after he held that great Tournament at *Berkhamſtead*, already mentioned. But however, we may thus far believe *Walſingham*'s Authority, that this Favourite had then ſo great an Aſcendant over the King, that he preſum'd to deſpiſe and reproach the Great Men of the Kingdom; and ſo powerfully wrought upon the Eaſineſs of his Nature, that without ever taking the Advice of the Great Lords of his Council, He acted all things by the ſole Influence of this Favourite; whoſe Indiſcretion as well as Covetouſneſs was ſuch, as to leave the King's Coffers ſo bare of Money, that He had not ſometimes wherewithal to defray the uſual Expences of his Family: and the Queen her ſelf was ſo ſtraiten'd for her neceſſary Allowance, that ſhe was forced to write Letters of Complaint to her Brother the King of *France*; tho' all (it ſeems) to no purpoſe.

Gaveſton deſpiſes the Great Men of the Kingdom, and tranſacts all things without their advice.

At [2.] which the Earls and Barons were ſo enraged, that they plainly told the King, that unleſs he would baniſh *Pierce Gaveſton*, they would all riſe againſt him as a *Perjur'd* Prince; whereupon, by the Advice of his Favourite, he ſent for Aid into *Gaſcoigne* to the Earl of *Foix* and the Viſcount of *Henoy*; who as they paſſed with Three hundred Horſe through *France*, were ſet upon by that King's Order, and ſome of them kill'd, and others impriſon'd; which broke the Neck of that Deſign.

About the ſame time likewiſe, [3.] the Abbot of Sr. *Denis*, who was ſent Legate from the Pope, to demand the Legacy that the late King *Edward* had bequeath'd for the *Holy Land*, did earneſtly beſeech the King to remove *Pierce Gaveſton* from his Preſence; but it met with no effect. After which, the King hoping to divert this diſcontented Humour of his Barons, ſummon'd a Great Council to meet at *Northampton*, determining from thence to march into *Scotland*: But the Barons coming to this Aſſembly well-armed and appointed, the King ſent them word he would not be there; yet at laſt he went as far as *Stony-Stratford*, whither came to him from the Barons, the Earls of *Warwick* and *Clare*, who requeſted him to come thither for his own Honour, and the Good of the Realm; ſo at length he was prevail'd upon to go thither, tho but in an ordinary Garb, and the Barons met him without any Arms: At laſt they agreed, and were outwardly made Friends, tho our Author does not tell us upon what Terms; but it is reaſonable to ſuppoſe that it was upon the King's Promiſe to give them all due Satisfaction concerning their Demands againſt the Earl of *Cornwall*, and for the Redreſs of thoſe other Grievances they complain'd of in the former Parliament. But I much doubt whether the Council ſaid by our Author to meet at *Northampton*, were any other than that mentioned by *Hemingford* to have been at *Stanford*; ſince the Cauſes and buſineſs of their meeting ſeem to be much the ſame.

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[2.] Chron. de Dunſt. *cited by* John Stow.
The King rather than part with him, ſends into *Gaſcoigne* for aſſiſtance.

[3.] Id. ib.
The Pope's Legate in vain beſeeches the K. to part with him; yet at laſt he calls a Council at *Northampton*; where he promiſes the Barons Satisfaction.

As for the Affairs of *Scotland*, the *Scots* having at the Inſtigation of the King of *France* broke the Truce which they had not long before concluded with the King (as appears by a Writ of Summons to a Parliament laſt Year) and having lately made ſeveral Incurſions into *England*, the King reſolved upon an Expedition in Perſon againſt them, and went as far as *York* for that purpoſe, as appears by his † Writs of Summons for a Parliament (dated there the 26th day of *October* precedent) which he intended ſhould meet at that City on the day after the Purification of the Bleſſed Virgin, next. However, this Expedition was now put off, by reaſon of the Domeſtick Diſcontents of his Nobility: So that all the King did the reſt of this Year, was, That [4.] about *Allhallontide* he ſent the Lord *Seagrave* with ſufficient Forces to guard the Eaſt Marches near *Berwick*, and at the ſame time diſpatch'd away the Lord *Clifford* with another Detatchment, to defend thoſe about *Carliſle*: So that acting only upon the defenſive, they did no more than conclude a Truce with the *Scots* till *Chriſtmas*, if the King ſhould conſent to it. Whereupon the Lord laſt mention'd went to him, to receive his Directions about it; and he agreeing to it, the Truce was afterwards prolong'd till *Midſummer* enſuing; for the *Engliſh* could not conveniently invade *Scotland* before that time, for want of Forage; and thus all things continued in the ſame ſtate between the two Kingdoms during all the reſt of this Year.

The *Scots* break the Truce; whereupon the K. ſummons a Parl. at *York*, but to little purpoſe.

* Rot. Clauſ. 2 Ed. 2. m. 5. dorſ.

† Clauſ. 3 Ed. 2. m. 17. dorſ.

[4.] Chron. de Lanercoſt.
The K. ſends the Lo[illegible]s *Seagrave* and *Clifford* to defend the Marches; who only conclude a ſhort Truce with them.

The

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[5.] *T. W.* * Clauſ. 3 Ed 2. m. 16. dorſ. The diſcontented Lords reſolve to drive *Gaveſton* out of the Kingdom.

The [5.] King having kept his *Chriſtmas* at *Windſor* with great Magnificence, not long after held a * Parliament at *London*, *viz.* at *Candlemaſs*, which (as I have ſaid above) had been appointed to meet at *York*: But now the Diſcontents of the Lords and Great Men of the Kingdom broke out more violent than ever; for *Pierce Gaveſton* ſtill continued his wonted Courſes, in taking of Bribes for the diſpatch of Buſineſs at Court, which Money he tranſported by Foreign Merchants beyond Sea: Whereupon the Great Men with other Faithful Subjects of the Kingdom, finding the King every day more and more to dote upon this Favourite, and that he cared for no man's Company, nor would follow any other Perſon's Counſel but his, ſo that no Affairs could be diſpatch'd without his Advice and Conſent; they were ſo highly provoked to ſee a Raw Young Man, and a Foreigner, without either Virtue or Wiſdom, preferr'd before and rais'd above them, not only in the King's Favour, but alſo in the Great Offices and Employments of the Kingdom, that they conſulted together, and reſolved to drive him out of it, leſt he ſhould bring in more of his Countreymen, and by their Aſſiſtance annull and deſtroy the Ancient Laws and Cuſtoms of the Nation.

[1.] Id. ib. To which end the Nobility in Parl. addreſs the K. to let them draw up Articles for the Government of the Kingdom.

And [1.] this Animoſity againſt him increaſed to ſuch a height, that according to the Cuſtoms of the *Engliſh* (when reduced to any great Straits) they reſolved they would firſt addreſs themſelves to the King, upon this as well as other Grievances; and therefore the Earls and Barons being now aſſembled in Parliament, in a great Body (yet without any Noiſe or Violence) attended him, and remonſtrated the Evil State of the Nation, and humbly beſought him to uſe their Advice in the Great Affairs of the Kingdom; and further preſſed him earneſtly, That he would give them Power to draw up certain Articles which ſhould be of great Advantage to the Realm, and Church of *England*. The King hereupon ſuſpecting what they chiefly aimed at, either that they would demand a further Confirmation of the *Great Charter*, and that of *Foreſts*, or elſe (which he was moſt afraid of) that they would inſiſt upon the Baniſhment of *P. Gaveſton*, would by no means at firſt comply with their Requeſt: But at length being overcome by their Importunities, and fearing to be made to do it by Force, he gave them Authority to chuſe a Committee of ſo many of their Body, who ſhould have Power to make Ordinances for the Good Government and Reformation of his Houſhold and Kingdom; both which were then very much out of Order, through the Profuſion and Miſmanagement of his Officers: And accordingly he granted his Patent or Commiſſion, as follows:

Which the K. at laſt complies with.

Rot. Pat. 3 Ed. 2. m. 16. indorſ. printed in *Royly*'s Plac. Parl. f. 526. & in Dr. *B.*'s Append. n. 50. The K.'s Licenſe to the Lords of Parl. and others to chuſe Commiſſioners to ſettle Affairs.

The King, to all thoſe who ſhall ſee or hear theſe Letters; Greeting: Whereas to the Honour of God, and for the Good of Us and our Realm, we have of our Free Will granted to the Prelates, Earls, and Barons of our Realm, That they may chuſe certain Perſons of the Prelates, Earls, and Barons, and others whom they think fit to call to them, during the time of their Power, that is, to the Feaſt of St. Michael *next coming; and from that Feaſt for a Year then next following, to ordain and ſettle the Eſtate of our Houſhold, and of our Kingdom, according to Right and Reaſon. And we grant by theſe our Letters, to ſuch as may be choſen by the Prelates, Earls, and Barons, whoever they ſhall be, full Power to ordain* (or ſettle) *the State of our Houſhold, and of our Kingdom aforeſaid, in ſuch manner, as that their Ordinances be made to the Honour of God, to the Honour and Profit*

Profit of Holy Church, and to the Honour and Profit of Us, as well as of our People, according to Right and Reaſon, and the Oath which we made at our Coronation. And we will, that thoſe who are ſo choſen, and all under our Dominion, and of our Ligeance, ſhall obſerve and keep the Ordinances ſo to be made, in all Points; and that for the better Obſervation of them, they may bind themſelves, and ſwear to one another, without being queſtioned by Us or our Friends: And if peradventure it ſhall happen, that part of thoſe who ſhall be ſo choſen to make the ſaid Ordinances, ſhall be hinder'd by Death, Sickneſs, or other reaſonable Cauſe, (which God forbid) ſo as they cannot perfect the ſaid Ordinances, then it ſhall be lawful for ſuch as are preſent to proceed by themſelves, or call ſuch other to their Aſſiſtance, as ſhall be moſt for the Honour and Profit of Us and our People. In witneſs of theſe things, we have cauſed to be made theſe our Letters Patents. Given at Weſtminſter *the 16th day of* March.

The day following, the Prelates, Earls and Barons, or at leaſt as many of them as were then in *London*, ſeal'd an Inſtrument to the King, wherein, after they had repeated this Grant and Commiſſion, they grant and promiſe for them, their Succeſſors and Heirs, that the Grant which their moſt dear Lord the King, had now made, as aboveſaid, ſhould not at any other time be drawn into Cuſtom or Uſage, nor turn to the prejudice of the King, or his Heirs, or of them, their Succeſſors, or Heirs, nor to the Damage of any one, againſt Right and Reaſon; nor that the Grant aforeſaid may in other manner be intended, or claimed but properly from his Courteſie, Free Will, or Pleaſure; and that the Power of the ſaid *Ordainers*, as to making the Ordinances, ſhould not continue longer than the time limited. In witneſs whereof they put their Seals to theſe their Letters Patents; Given at *London* the 17th day of *March*, in the Year of Grace 1309. and the Reign of the Lord the King, the Third.

Dr. B's Appendix, n. 51. An Inſtrument made by the Nobility to the King, concerning the *Commiſſion* aboveſaid.

The Prelates and Lords loſt no time after they had their Commiſſion; * for within three days the Ordainers were choſen by them and ſworn, being theſe under written.

* MS. *Clauſ.* p. 2. in Bib. Cot. f. 295.

The Lords *Ordainers* are choſen; and their Names.

The Archbiſhop of *Canterbury*.

The Biſhops of

London,
Salisbury,
Chicheſter,
Norwich,
St. *David's,*
Landaff.

The Earls of

Gloceſter,
Lancaſter,
Lincoln,
Hereford,
Pembroke,
Richmond,
Warwick,
Arondel.

Barons.

Hugh de Ver.
William le Marſhall,
Robert Fitz Roger,
Hugh Courtenay,
William Martin,
John de Grey.

*** Their Oath was this, as 'tis tranſlated from the Old *French*.**

I *Will make ſuch Ordinance as ſhall be moſt to the Honour of God, the Honour and Profit of Holy Church, and to the Honour of our Lord the King, and the Profit of Him and his People, according to Right and Reaſon, and according to the Oath which our Lord the King had taken at his Coronation;*

* *Ib.* The Form of the Oath theſe Lords were to take.

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* *Ib.*

ronation ; I will not forbear for any Man, Rich or Poor, neither for Love nor Hatred, nor any other thing ; but will make ſuch Ordinance, in Form above ſaid. * Then after the Form of taking this Oath, 'tis farther noted in *Latin, That the ſaid Oath was made, and taken in the Form aforeſaid, according to the King's Will and Special Command ; Dated on* Friday *the 20th of* March, *in the Year of our Lord* 1309 ; *in the Third Year of the Reign of King* Edward, *the Son of King* Edward, *at* Weſtminſter, *in the* Painted Chamber *of the ſaid King.*

But what theſe Commiſſioners did in perſuance of his Commiſſion, you ſhall know in due time ; only the Reader may here obſerve, that the King's Commiſſion for the making theſe *Ordinances*, as well as the *Ordinances* themſelves, bear date *Anno Dom.* 1309 ; but according to our Account (in which we follow *Walſingham* and others of our Hiſtorians, who begin their Year at *Chriſtmas day*) theſe Tranſactions muſt be put under *Anno Dom.* 1310, and not within the Year 1309, according to the Date of thoſe Records ; which according to the Law Terms, begin the Year at *Lady day*.

* MS. in Bib. Dom. Sim. Dew's.

A Convocation held with this Parliamet, to which the Achbiſhop of *Canterbury* refuſes to come, and the reaſon why.

As to Eccleſiaſtical Affairs tranſacted in this Parliament, I cannot omit taking notice, that the Author of the * Manuſcript *French* Chronicle of *Chriſt-Church* in *Canterbury* relates, That King *Edward* having ſummoned a General Parliament at *Weſtminſter*, which I ſuppoſe was the ſame with that above-mentioned, when there was alſo a Convocation of all the Clergy both Superior and Inferior held at the ſame time: And *William de Greenfield*, Archbiſhop of *York*, coming up to this Parliament, with his Croſs born before him, *Robert* Archbiſhop of *Canterbury*, with his Suffragans, refuſed to come thither, whilſt the ſaid Archbiſhop thus bore his Croſs ; and though the King ſent to him the Earls of *Gloceſter* and *Lincoln*, with other Noblemen, to try if they could any ways compromiſe this Difference, yet the Archbiſhop of *Canterbury* remaining reſolute in his Demand, that his Antagoniſt ſhould firſt lay by his Croſs, the King was at laſt fain to diſmiſs the Archbiſhop of *York* from any farther Attendance at this Parliament, and then the Archbiſhop of Canterbury, with his Biſhops, came thither, and treated with the King and Great Men concerning the Publick Affairs of the Kingdom. I take notice of this, that you may obſerve how highly jealous the Archbiſhop of *Canterbury*, and the reſt of the Biſhops of his Province, then were of permitting any thing to be done by the Archbiſhop of *York*, that ſhould ſhew ſo much as an Equality between the Two Metropolitans. But to return to Civil Matters : I ſhall ſay no more of the Parliament and Convocation above-mentioned, but that it was the ſame in which *Hemingford* relates the King had granted him the Twenty-fifth Penny of all Men's Eſtates ; and in which Convocation the Pope exacted no leſs than three Tenths of the Clergy.

[2.] *C. W. H.* The King reſolves upon another Expedition againſt *Scotland*, and to that end ſummons all his Military Tenants.

[2.] King *Edward* being much incenſed at the late Succeſs of the King of *Scots*, who had now broke the Truce, and done a great deal of miſchief on the Borders, was reſolved to repreſs his Inſolence, hoping withall, by that means, to divert the Diſcontented Humour of his Nobility againſt his Favourite *Gaveſton*; and that if he got the Victory in this Expedition, he ſhould thereby render them and the Lords Ordainers, whom he had appointed to reform the State of the Kingdom, more eaſie and favourable to him and his Favourite; wherefore he raiſed a great Army, my, and order'd all his Military Tenants to be ready with Horſe and Arms by the middle of *Auguſt*; and beſides them, the Earls of *Gloceſter*, *Surrey*, and *Cornwall*, with the Lords *Piercy* and *Clifford*, and divers other of the Great Men that attended him; and then he appointed the Earl of *Lincoln* to be Guardian of the Kingdom during his Abſence; but the Earls of *Lancaſter*, *Pembroke*, *Warwick*, and *Hereford*, refuſed to go along with the King; not only out of Hatred to *Pierce Gaveſton*, but becauſe they had been conſtituted (together with the Biſhops and other Great Men) *Ordainers* for making the new *Ordinances* that were then on foot for the Reformation of the State of the King's Houſhold, and other Grievances: And the Archbiſhop in the beginning of *November* held a Provincial Synod at St. *Paul's*, with the Biſhops of his Province; where, in the preſence of the Lords *Ordainers*, he (being in his *Pontificalibus*) declared all thoſe Excommunicated, who ſhould preſume to reveal the *Ordinances* they were then making, or any part of them, till they were all finiſhed and publiſhed by common Conſent, as alſo all thoſe who ſhould hinder the making of them; *Becauſe it was all their Intentions to ordain ſuch things as ſhould be for the Honour of God, the Exaltation of the Church, the common Benefit of the Kingdom, and the Peace and Proſperity of all the People in general.*

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The Earls of *Lancaſter*, *Pembroke*, &c. refuſe to go with him, and why.

The ABp holds a Synod, where he declares all thoſe Excommunicated, that ſhould reveal the *Ordinances*, till they were all finiſh'd.

[3.] In the mean while the King marched into *Scotland* with his whole Army, and meeting with no Oppoſition (for King *Robert* was again retired into his Faſtneſſes) he ſpoil'd and burnt all the Country before him, which way ſoever he marched, as far as the *Frith*; and Winter now approaching, he return'd to *Berwick*, where he reſided with his Queen, and the Great Men that ſtill attended him all that Seaſon. But [4] ſo ſoon as the King's Army was retired out of *Scotland*, King *Robert* and his Men came out of their Retreats, and entring *Lothian*, did much miſchief in thoſe Parts, to all that own'd the King of *England*: Who thereupon with great part of his Forces again entred *Scotland*, and perſued them, but in vain; for they quickly retired where they had lurked before; upon which his Majeſty, with the Earl of *Cornwall*, ſtaid at *Roxburgh* to ſecure thoſe Parts, whilſt the Earl of *Gloceſter* lay at *Norham* with ſufficient Forces to defend the Borders.

[3.] Id. ib.
The K. marches into *Scotland* without oppoſition, K. *Robert* being retired into his Faſtneſſes.

[4] Chron. de Lan.
But when the K. was retired, he comes out again, and does much miſchief.

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[5.] About the beginning of *March* the King undertook another Expedition into *Scotland*; and though he found no more Reſiſtance than he did the laſt Year, yet Forage and other Proviſions failing, he was forced to go back again to *Berwick*, without doing any thing conſiderable: Yet ſometime [1.] after, he ſent the Earl of *Cornwall* with the Flower of his Army to St. *Johnſtown*, to ſtop King *Robert*'s Progreſs, who (they heard) was raiſing great Forces: The Earl having paſſed the *Frith*, marched a great way into the Countrey, and behaved himſelf very well in this Expedition; though it had but a ſmall effect, becauſe the *Scots* again retired into their Bogs and Mountains: In the mean while the King continuing at *Berwick*, ſent the Earls of *Gloceſter* and *Surrey* into *Scotland* by another way; who marching into the Great Foreſt of *Selkirk*, again reduced thoſe Parts to the King's Obedience. But it is time for us now to return to *England*.

[5] C. W. H.
The K. again enters *Scotland* without Reſiſtance, but returns for want of Forage.

[1.] Chron. de Lan.
Yet ſends the E. of *Cornwall* thither with the Flower of his Army, upon which the *Scots* again retire.

[2.] Whilſt the King continued in *Scotland*, the Earl of *Lincoln*, whom he had left Guardian of the Kingdom in his Abſence, deceas'd; whereupon the Earl of *Lancaſter*, having married his Daughter and Heir, came near *Berwick*, to do his Homage for that Earldom, but

[2.] Id.
Upon the E of *Lincoln*'s deceaſe, the E of *Lancaſter* attends upon the K. to do his Homage.

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would not go to the Town it ſelf to perform that Duty, becauſe it was within the Kingdom of *Scotland*; but deſired that the King would paſs over the River *Tweed* to receive it: Which He a great while refuſed to comply with; till hearing the Earl was about to return with Two hundred Horſe he had brought with him, and fearing his Diſpleaſure, he was at laſt perſuaded to go as far as *Hagerſton* (a Town Four Miles from *Berwick*) and there receive his Homage; which being done, the King and the Earl kindly diſcourſed together, and ſeemed outwardly to part Friends; for there had been, and ſtill was a great Difference between them, by reaſon of *Pierce Gaveſton*, whom (though he appeared there) the Earl would not ſo much as ſalute; but this Ceremony being perform'd, he return'd home.

[3. Id. ib. The Lords Ordainers having finiſh'd their Ordinances, deſire the K. to return and confirm them.

The [3.] King had now ſpent great part of this Summer in proſecuting the War againſt the *Scots* (tho he went not againſt them any more in Perſon after his Expedition in *March*); and the Lords the *Ordainers*, (who had been employ'd for near Two Years in framing Ordinances for the Reformation of the King's Houſhold and the Kingdom, according to the Power given them by his Charter) having finiſhed theſe *Ordinances*, ſent Meſſengers expreſs to deſire he would return into *England* to hold a Parliament, wherein they might be publiſh'd and confirm'd: Whereupon he iſſued his * Writ of Summons, bearing date the Sixteenth Day of *June*, for a Parliament to meet on the *Sunday* before the Feaſt of St. *Lawrence*, or Tenth of *Auguſt* following; before which time, the King (though unwillingly) left *Scotland*, and returned to *London*: Where the Parliament being met, the Lords *Ordainers* brought in the *Ordinances* they had made and agreed on; which being drawn up in Form of a Charter or Grant from the King, were openly read and publiſhed, to this effect: Firſt, After a long Preamble, they recite the Commiſſion formerly made, whereby they were empower'd to ſettle and redreſs the Abuſes of his Houſehold, *&c.* And then ſays, That the Archbiſhop of *Canterbury*, and the other Lords *Ordainers* there named, had agreed on certain Articles; which were introduced with theſe Reaſons:

* Clauſ. 4 Ed. 2. m. 1. dorſ. The K. ſummons a Parl. for that end.

The new Ordinances read in Parl. with the Effect of them. Rot. Ordin. Parl. 5. Ed. 2. n. 1.

The Reaſons of theſe Ordinances.

Inaſmuch as the King being deceived by Evil Counſel, the Countries of *Gaſcoigne*, *Ireland*, and *Scotland*, were in danger to be loſt, and the Realm of *England* to be ruined by Oppreſſions, Prizes, and other Deſtructions; Therefore the ſaid Lords above-mention'd have Ordain'd as follows:

* See theſe Ordinances in *French*, in Dr. B.'s Append. n. 52.

1. '* That Holy Church ſhall have all its Franchiſes, as it had before, and ought to enjoy.

2. 'That the King's Peace ſhall be kept throughout the Realm, ſo 'as any man may ſafely go, come, and ſtay any where, according to 'the Law and Uſage of the Realm.

Ib. n. 3.

3. 'And we farther Ordain, That for the Payment of the King's 'Debts, and for the bettering and more Honourable Maintenance of 'his Royal Eſtate, nothing of Lands, Rents, Franchiſe, Eſcheat, Ward, 'Marriage, Office or *Bailiwick*, ſhall be given to any of the *Ordainers*, 'during the time of their making their *Ordinancs*, nor to any other 'Perſon, without the Advice and Aſſent of the *Ordainers*, or the greater part, or Six of them at the leaſt; but that all things may be improv'd to the Honour and Profit of the King, and Advancement of 'his Eſtate.

4. 'That

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4. ‘That the Cuſtoms ſhall be received by Subjects of the Realm, and not by Strangers; that the Iſſues and Profits of them, and all other Things ſhall come entirely into the Exchequer; and be deliver'd thence by the Treaſurer and Chamberlains, to maintain the King's Houſhold or Court, and otherwiſe for his Profit; that he may live of his own, without taking any other things than of Antient Time have been due and accuſtom'd.

5. ‘That the * Merchants Aliens and their Goods be Arreſted, until they have given Account of the Cuſtoms, and other Profits and Iſſues of the Realm, they had received ſince the Death of King *Edward*, the Father of this preſent King, before the Treaſurer and Barons of the Exchequer, and others to be joined with them by theſe *Ordainers*.

* Note, Theſe were certain Foreign Merchants, who had farmed the King's Cuſtoms.

6. ‘That the Great Charter ſhall be kept in all its Points; and that the *Ordainers*, and ſuch as they ſhall call to their Aſſiſtance during their Power, ſhall declare all obſcure and doubtful Points in it.

7. ‘That the Crown having been ſo impoveriſh'd and diſmembred by divers Gifts, &c. we do likewiſe *Ordain*, That all Gifts granted to the Damage of the King, and diſtreſs of the Crown, after the Commiſſion to them made, as of Caſtles, Towns, Lands, Tenements, Offices, and Bailiwicks, Wards, Marriages, Eſcheats, and Releaſes whatſoever, both in *Gaſcoigne*, *Ireland*, *Wales*, *Scotland*, and *England*, ſhall be repeal'd, and are hereby declar'd repeal'd; without any re-granting to thoſe that had them, unleſs by Common Conſent in Parliament; or if any ſuch Gifts or Releaſes ſhall hereafter be made, without Aſſent of his *Baronage* in Parliament, *until the King's Debts be fully paid, and his Eſtate advanced*, they ſhall be held for Null, and the Procurer ſhall be puniſh'd in Parliament by Award of the Baronage.

Ib. n. 7.

8. The Eighth Article being much the ſame with the Fourth, I therefore omit it.

9. ‘And whereas the King ought not to engage himſelf in War againſt any, nor go out of the Realm, without the common Aſſent of his *Baronage*, for the many Dangers that might enſue to Him and his Realm, we do further *Ordain*, That henceforward the King ſhall not go out of his Kingdom, nor make War upon any one, without the common Aſſent of his *Baronage*, and that in Parliament; and if he ſhall do otherwiſe, and cauſe his *Service* to be ſummon'd, the Summons ſhall be Null and Void: But if it happen that the King ſhall make War upon any one, or go out of the Kingdom with the Aſſent of his ſaid *Baronage*, and that then it ſhall be neceſſary to appoint a Guardian over the Realm, he ſhall be appointed by the common Aſſent of his *Baronage* in Parliament.

10. ‘That there ſhall be no Prizes nor Takings for the King, but ſuch as are due of Antient Right; that none under Colour of Purveyance, ſhall take to the Uſe of the King, or any other, Corn, Goods or Merchandiſe, from any one againſt his Will, according to * *Magna Charta*, without paying the true Value for it; under Pain of being perſued by *Hue* and *Cry*; and if taken, ſhall be committed to the next Gaol, there to undergo the Common-Law as a Thief and a Robber.

* Cap. 9.

11. ‘That no New Cuſtoms or *Maletolts*, levied ſince the Coronation of *Edward* I. or Inhancements of the Old, ſhall be taken of Merchants, notwithſtanding the Charter made by the King to the

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'Merchant-Strangers, contrary to the Great Charter, and the Franchiſes of the City of *London*, without the Aſſent of *Baronage*, &c.

12. 'To the Honour of God, and Holy Church, We moreover *ordain* againſt ſuch as ſhall maliciouſly procure Prohibitions and Attachments againſt the Ordinaries of Holy Church, in caſe of Correction of 'Sin, and other things purely Spiritual, which belong not to the Lay-'Court: In that Caſe, the Juſtices ſhall award Damages to the Ordi-'naries; and if the Plaintiffs have not wherewithal to pay them, 'they ſhall be committed to Priſon, ſo long as the Grievance ſo mali-'ciouſly procured ſhall require it; ſaving the Eſtate of the King, his 'Crown, and other Rights.

13. 'That becauſe the King hath been Guided and Counſelled by 'Evil Counſellors, We likewiſe *ordain*, that all ſuch be removed from 'the King; that ſo neither They, nor any ſuch, ſhall be near him, or 'hold any Offices under him; but that other Fit Perſons ſhall be put 'into their Places: And in like manner it ſhall be done to his Menial 'Servants, and the Officers of his Houſhold.

14. 'And foraſmuch as many Evils have happen'd by ſuch Counſel-'lors and Miniſters, We therefore *ordain*, that for the future the King 'ſhall make the Chancellor, Chief Juſtice of the One Bench, and the 'Other, the Treaſurer, Chancellor and Chief Baron of the *Exchequer*, 'Steward of his Houſhold, Guardian of the Wardrobe, Comptrol-'ler, and a Fit Clerk to keep the Privy Seal, with the Juſtices of the 'Foreſts on this ſide, and beyond *Trent*; and the Chief Clerk of the 'Common Bench, by the Advice and Conſent of his *Baronage*; and 'that in Parliament: And if it ſhall happen, and be neceſſary to 'chuſe any ſuch Officers, when there is no Parliament; then the 'King ſhall do it by the Advice of the Council he had about him, un-'til there ſhould be a Parliament; and ſo it ſhould be for the future 'concerning ſuch Miniſters, when Need requir'd.

15. 'That all Governors of Ports and Caſtles upon the Sea, ſhall 'be placed and made according to the Form aboveſaid.

16. 'And for that the Countries of *Gaſcoigne*, *Ireland* and *Scotland*, 'were in Danger to be loſt for want of good Miniſters, We alſo *ordain*, 'that good and ſufficient Officers ſhall be placed there according to the 'Form of the Article (that is, the 14th) above.

17. 'That Sheriffs ſhall from thenceforth be named by the Chan-'cellor, and Treaſurer, and ſuch of the Council as ſhall be preſent; 'and if the Council be not preſent, then by the Treaſurer, Barons of 'the Exchequer, and Juſtices of the King's Bench; and that ſuch only 'ſhall be choſen, as have Lands to anſwer the King and his People for 'their Doings, and no others to have Commiſſions under the Great 'Seal.

18. 'That the Guardians and Officers of Foreſts ſhall undergo juſt 'Tryals for their Grieving the People, Oppreſſions, and Miſdemea-'nors, by reaſon of ſuch Offices, notwithſtanding they have Grants of them for their Lives.

19. 'The XIXth directs the Manner of Tryal of Treſpaſſes of 'Vert and Veniſon in the Foreſts, according to the Charter of the Fo-'reſt, and Declaration of King *Edward* I. which is there recited, and 'need not be more particularly mentioned here.

20. Where-

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‘20. Whereas it has been found by the Examination of the Prelates, Earls, Barons, Knights and other good People of the Realm, that *Pierce de Gaveſton* had evil counſelled the King, and had prevailed upon him to do amiſs in divers manners; that he defrauded the King of his Treaſure, and ſent it beyond Sea; that he had taken to him Royal Power and Dignity, in making Alliances with certain People upon Oath, to live and die with him againſt all Men; That he had put from the King Good Officers, and placed about him thoſe of his own *Covin* and Party, as well Strangers as others; that he had eſtranged the King's Heart from his Liege People, inſomuch that he deſpiſed their Counſels; that he had cauſed the King to grant Lands, Tenements and Offices to himſelf and his Heirs, and divers other people, to the great damage and injury of the King and his Crown; that he had cauſed Blank Charters to be ſealed with the Great Seal, in Deceit and Diſinheritance of the King and Crown, and had maintained Robbers and Murtherers, and had cauſed the King to pardon them; and that King *Edward* the Father of the preſent King had ordered him to abjure the Realm of *England* for ever; and had likewiſe directed, that his Son the preſent King ſhould for ever forſwear his Company; and that for ſeveral Reaſons, as the nouriſhing of Concord between the King and his People, and the eſchewing many Perils and Diſcords, we do hereby *ordain*, by virtue of the Commiſſion of our Lord the King to us granted, That the ſaid *Pierce* ſhall be for ever baniſhed the Realm of *England*, *Scotland*, *Wales* and *Ireland*, and all the King's Dominions, either on this ſide, or beyond the Sea, between that time and the Feaſt of *All-Saints* next enſuing, (having *Dover* aſſigned him for his Port to paſs from, and no other;) and if he ſhould be found in *England*, or any other part of the King's Dominions beyond that day, then he ſhould be treated as an Enemy to the King and Kingdom.

‘21. We *ordain*, That *Emery*, and thoſe of the Company of *Friſcombaud*, ſhall render an Account of the Treaſure they had received, as they were order'd, within the *Quindene*, or fifteen days after St. *Michael*, or otherwiſe the Bodies and Goods of that Company, which were found in the Power of the King, ſhould be arreſted, and *Emery* declared and holden the King's Enemy, and uſed as ſuch, if he were found within the King's Dominions, either on this ſide, or beyond the Sea.

Theſe were *Lombard* Merchants who had receiv'd and tranſported the Money, *&c.* delivered to them by *Gaveſton*, and not for renting the King's Cuſtoms, as Dr. *Brady* vainly ſuppoſes.

‘22. And foraſmuch as Sir *Henry de Beaumont*, to the damage and diſhonour of the King, had received of him the Kingdom of *Man*, after it had been ordered otherwiſe by theſe *Ordainers*, beſides other Rents, Lands, Franchiſes and Offices; and becauſe he had given Evil Counſel contrary to his Oath, we therefore *ordain*, That he ſhall be outed the King's Council for ever, and ſhall not come near his Perſon, unleſs he be ſummon'd to Parliament; or in time of War, if the King will have him, unleſs by Common Aſſent of the Archbiſhops, Biſhops, Earls and Barons in full Parliament; and that all his other Lands ſhall be ſeized into the King's hands, until he ſhall be ſatisfied the full value of what he had received of thoſe Lands ſo given him by the King, contrary to this *Ordinance*; and if he ſhall contend againſt this *Ordinance*, then for ever to be diſinherited of all Lands of the King's Gift.

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23. That whereas it was found by the Examination of the Prelates, Earls and Barons, that the Dame de *Veſey* had procured the King to give to Sr. *Henry Beaumont*, her Brother, divers other Lands, Franchiſes and Offices, to the damage and diſhonour of the King, and open diſheriſon of the Crown: It is farther *ordained*, That ſhe ſhall go to her Houſe within fifteen days after St. *Michael* next coming, without ever returning to Court, to ſtay there: And for all theſe things aforeſaid, and for the Caſtle of *Bamburgh*, belonging to the Crown, we *ordain*, that it ſhall be retaken into the King's hands, and ſhall not be given to her or any other, without the pleaſure and good-will of the King.

‘24. That Acquittances ſhall be allowed for Debts paid, and Accounts made in the *Exchequer*; and if the Treaſurer and Barons of the *Exchequer* allow them not, or make them not in due form, the Plaintiffs ſhall have Remedy upon Petition in Parliament.

‘25. For that Common Merchants, and many other people are received to plead in the *Exchequer*, Pleas of Debts and Treſpaſs, by reaſon they are avowed by Officers of the Place more than before, which ought not to be, whereby Accounts and other things touching the King are often delay'd, and the People much grieved; it is therefore *ordained*, That for the future no Pleas ſhall be holden in the *Exchequer*, but ſuch as concern the King and the Officers of the *Exchequer*, and their Menial Servants; and if any be received by Avowry of the Place, to plead therein contrary to the Form aforeſaid, ſuch as are impleaded ſhall have their Recovery in Parliament.

‘26. Alſo, for that the People are much grieved, that the Marſhal and Steward hold many Pleas which belong not to their Office, be it *ordained*, That they ſhall not hold Plea of *Frank-Tenement*, or Debt, or Covenant, or Contract, nor Common Pleas of the People, but only Debts and Treſpaſſes of the Court, or King's Houſe, within the Verge, and Contracts, and Covenants of ſuch as belong to the Court, and no others; and that they ſhall be ſpeedily pleaded from day to day, and ended before the King paſſed out of the Limits of the *Verge* where the Treſpaſs was done; and if Pleas be held otherwiſe, they ſhall be null, and ſuch as ſhall be grieved, ſhall have redreſs by Recovery of Damages in the *King's Bench*, by Writ out of *Chancery*.

‘27. And for that before this time many Felonies had been committed within the *Verge*, and ſuffered to go unpuniſhed, becauſe the Coroners of the Country were not permitted to enquire of ſuch Felonies, but only the Coroners of the Houſhold, who were partial; it is there fore *ordained*, That the Country Coroners without the *Verge* ſhall be joined with them in the Caſe of Murther, &c.

‘28. And whereas the People had been much grieved, that ſome Perſons combined together to kill and rob them, by reaſon the King through Evil Counſel gave them their Pardons againſt Law; it is *ordain'd*, That for the future no Charters of Pardon ſhall be granted for any manner of Felony, but in Caſe, where the King could do it by his Oath, Proceſs of Law, and the Cuſtom of the Land; and if any others were granted, they ſhould be void.

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‘29. And inaſmuch as many people are delayed of their Demands in the King's Court (*i. e. Bench*) becauſe the Parties alledge, they ought not to anſwer the Demandants without the King's Conſent; and alſo many of the People are grieved by the King's Officers againſt Right, of which Grievances they can have no Redreſs but by frequent Parliaments; for remedy hereof be it *ordained*, that the King hold a Parliament once every Year, or twice, if there be need, and in convenient place; and in thoſe Parliaments, the Pleas which had been ſo delay'd, and thoſe wherein the Juſtices ſhould be of divers Opinions, ſhould be recorded and determined; and in the ſame manner Bills (*i. e.* Petitions) ſhould be delivered and ended in Parliament, according to Law and Reaſon.

‘30. The Money ſhall not be altered without great occaſion, and then by Common Advice of the *Baronage* in Parliament.

‘31. All Statutes made in amendment of the Law, and for the profit of the People by the King's Anceſtors, ſhall be kept and maintained as before, and as they ought to be, according to Law and Reaſon, if they are not contrary to the Great Charter, the Charter of the Foreſt, or theſe *Ordinances*; and if ſo, then to be null and void.

‘32. That the Law, or Common Right, be not delay'd by Letters of Privy-Seal; and ſuch Letters to be void, if procured.

‘33. Contains an Interpretation of the Statute of *Acton Burnel.*

‘34. Concerns the Caſe of Appellants or Appealors, and the Sheriffs and Gaoler's Practices thereupon, now almoſt antiquated.

‘35. That no Man be appealed of Felonies maliciouſly, or outlawed in the Countrey where he had no Land or Tenements, nor put to death, or diſinherited by ſuch Suit or Outlawry, he rendring himſelf to the King's Priſon, *&c.*

‘36. For the abatement of Appeals in Suits, and ſlight Caſes in Murther and Robbery, if the Appellees are acquitted, they ſhall recover againſt the Abettors and Appellants according to the Statute.

‘37. Is againſt Protections for the delay of Suits, as well in Pleas of Land, as of Debts and Treſpaſſes, by ſuch as feigned themſelves in the King's Service; that the Plaintiff or Demandant diſcovering the Deceit, ſhall have Damages awarded him at the diſcretion of the Juſtices, and the Tenant of the Land ſhall be adjudged to Priſon a Year and a Day for cheating the King and Court; and if the Deceit be found in a Plea of Debt, or Treſpaſs, upon Attaint, the Defendant ſhall be puniſhed to the King, and pay Damages to the Plaintiff.

‘38. Alſo it is *ordained*, that the *Great Charter* of Franchiſes, and the Charter of the *Foreſt* of King *Henry*, the Son of King *John*, ſhall be holden in all Points; and if there were any thing doubtful in them, they are to be declared next Parliament after this by the *Baronage*, Juſtices and other Sages of the Law; and this was to be done after this manner, becauſe it was not in their power for want of time to do more.

‘39. That the Chancellor, Treaſurer, Chief Juſtice of the one Bench, and the other, Chancellor of the *Exchequer*, Treaſurer of the Wardrobe, Steward of the Houſhold, all Juſtices, Sheriffs, Eſcheators,

‘tors, Conſtables, Enquirers into any Matter whatſoever, and all other Bayliffs or Officers of the King, ſhall be ſworn when they enter into their Offices, to keep and obſerve all the *Ordinances* made by the Prelates, Earls, and Barons, Choſen and Aſſigned for that purpoſe, and every one of them, without doing any thing to the contrary.

40. ‘Alſo it is *Ordained*, That in every Parliament there ſhall be aſſigned one Biſhop, two Earls, and two Barons, to hear and determine all the Complaints of thoſe that will impeach the King's Miniſters, whoſoever they are, for doing any thing contrary to theſe *Ordinances*, to the King, and to the Complainants, according to their Directions.

41. ‘Laſtly, It is *Ordain'd*, That the *Ordinances* aboveſaid ſhall be maintain'd and kept in all their Points; and that the King ſhall cauſe them to be put under his Great Seal, and ſent into every County of *England*, to be publiſhed and firmly obſerved, as well within Franchiſes as without; and in like manner the *Warden* of the *Cinque Ports* ſhall be ſent to, to publiſh and command them to be kept through his whole Juriſdiction.

Theſe *Ordinances* were publiſhed ſome time this Autumn; and though the exact Date be omitted in the Record, yet it is likely they were paſſed in Parliament by the end of *September*, or beginning of *October*; as appears by the King's Confirmation of them, which follows upon the ſame Rolls, to this Effect:

Ib. The King's Confirmation of theſe *Ordinances*.

‘Theſe *Ordinances* being ſhewed to Us, and publiſhed on *Monday* before the Feaſt of St. *Michael* laſt paſt, We do Agree unto, Accept, Confirm, Will and Grant, for Us and our Heirs, That all the ſaid *Ordinancs*, and every one of them, made according to the Form of our Letters Patents, ſhall be publiſhed, and hereafter firmly obſerved and kept. In Witneſs whereof We have cauſed theſe our Letters to be made Patent. Given at *London* the Fifth Day of *October*, in the Fifth Year of our Reign.

* Ad hunc An. *Walſingham's* Miſtakes rectified, concerning the Time of theſe Tranſactions.

I muſt here obſerve, That * *Walſingham* hath committed ſeveral great Miſtakes in his Relation of the Tranſactions of this Year; as firſt, in making the King to have kept his Chriſtmaſs at *Weſtminſter*, when he was then indeed in *Scotland*; and in placing the Parliament, in which theſe *Proviſions* were confirm'd, preſently after that time; whereas it appears by the Writs of Summons, that the King did not return from his *Scottiſh* Expedition till after Midſummer; nor did the Parliament meet till the beginning of *Auguſt*, and the *Proviſions* were not Confirm'd by the King until the beginning of *October*: Tho * he is not miſtaken in that he farther adds, concerning what was done in this Parliament, when the King not only confirm'd the aforeſaid *Proviſions* under his Great Seal, but alſo took his Corporal Oath for their Obſervation; and that then the Archbiſhop of *Canterbury* with his Suffragans pronounced Sentence of *Excommunication* againſt all ſuch as ſhould preſume to act contrary to the ſaid *Proviſions*: Which done, all the Articles therein contain'd being recited to be according to the Tenor of *Magna Charta*, and for the common Good of the Church and Kingdom, were publickly read in St. *Paul*'s Church, before all the Prelates, Peers, and Commons of the Land, and the King himſelf was there preſent. Then follows a Repetition of the Subſtance of theſe *Proviſions*; in which this

* Id. ib. Who alſo takes an Oath to obſerve them; and Excommunication pronounced againſt all thoſe that ſhould infringe them.

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Author is right enough, except in making the Baniſhment of *Pierce Gaveſton* into *Ireland*, to have been now order'd, whereas he had been there near Two Years ago; and being ſince return'd, was now again baniſh'd from all the King's Dominions; and in Obedience to that Sentence, about the beginning of *November* he paſſed over into *France*: Of whom you will hear more by and by. But to return to more weighty Affairs.

Gaveſton being again baniſh'd, paſſes over into *France*.

After theſe Articles had been thus ſolemnly confirm'd, ſeveral of the Prelats, Earls and Barons, who thought it had been a very long Seſſion, therefore made it their Requeſt to the King, That they might retire into their own Countries; whereupon, by their Advice and Aſſent, He progu'd the Parliament unto *Friday* next after the Feaſt of *All-Saints*, at *Weſtminſter*, and ſo gave leave to moſt of the Prelats, Earls and Barons, in the mean time to go home, commanding them to meet again at the time and place aforeſaid; and farther ordered the ABp. of *Canterbury*, that he ſhould give notice to the Deans and Priors of Cathedral Churches, as alſo to the Abbots and Archdeacons in their own perſons, and the Clergy of the whole Province, by their Proctors, to be again preſent in Parliament, eight days after St. *Martin*; dated at *London* the eighth day of *October*.

Rot. Clauſ. 5 *Ed.* 2. M. 25. Dorſ.

The Parliament progu'd till after *Martinmas*; as was alſo the Convocation.

By virtue of which Prorogation, the Archbiſhop (without doubt) took the longeſt time, as did others of the Prelats, Earls and Barons, who delay'd their coming until the Clergy ſhould meet; ſo that it is very likely there was a farther Adjournment of this Parliament to ſome day in *November*, though the Writ is not extant; for on the 28th of that Month, the King iſſued out his * Writs to *Gilbert* of *Clare*, Earl of *Gloceſter* and *Hereford*, *Thomas* Earl of *Lancaſter*, *Humphry de Bohun* Earl of *Hereford* and *Eſſex*, *Adomar de Valence*, Earl of *Pembroke*, *Guy Beuchamp*, Earl of *Warwick*, and *Edward* Earl of *Arundel*; ſignifying to them, that He was inform'd they were coming to this Parliament, (which was continued at *Weſtminſter*,) with Horſe and Arms, after an undue manner, which would hinder the diſpatch of the Buſineſs in Parliament, that concern'd Him and the State of the Kingdom, would affright the people, and diſturb the Peace; wherefore He commanded them upon their Faith and Homage, not to come in ſuch a terrifying manner, but only as they uſed to come in His Father's time, without Arms; nor to attempt any thing elſe which might diſturb the Peace.

Ib. M. 22. Dorſ.

The King iſſues out his Writs, commanding ſeveral Noblemen therein mentioned, not to come to Parliament with Horſe and Arms.

What ſhould be the reaſon of their thus offering to come armed, I do not find; only it is probable that they found the King reſolved not to obſerve the late *Ordinances*: for ſo much is certain, that this Parliament was ſoon diſſolved, [1.] and the Buſineſs left undiſpatched, by reaſon of *Pierce Gaveſton*; who in obedience to the late Sentence, went over into *France*, (as has been already ſaid) yet not thinking himſelf ſafe there, becauſe that King hated him on the Queen his Daughter's Account, he went from thence into *Flanders*, where being alſo uneaſie, and relying upon the King's Favour, and his Alliance to the Earl of *Gloceſter* (and being, I ſuppoſe, underhand encouraged by the King Himſelf) he reſolved once more to venture into *England*; and [2.] therefore being accompanied with ſome of his Friends and Followers, arrived here a little before *Chriſtmas*, and preſented himſelf to the King, who received him with all the joy imaginable, though much to

[1]. *T. W.*

Pierce Gaveſton returns, notwithſtanding the late *Ordinance*.

[2]. *C. Evef.*

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And is received by the King with great ſatisfaction.

* *Comp.* Hiſt. p. 112.

the diſcontent and vexation of the Great Men of the Kingdom; who would not have endured ſuch an open Affront to their Authority, had they been permitted to continue their Seſſion any longer; and therefore to prevent their meeting, it was neceſſary to ſend them home under a pretence of the near approach of *Chriſtmas* Holy-days, but indeed it was the ſudden coming over of this Minion, that cauſed this haſty Diſſolution; *though Dr. *Brady* does not mention the true Cauſe thereof. But before I conclude this Year, I ſhall ſay ſomewhat more of the Affairs of *Scotland*.

[3.] Chron. Lan. The King of *Scots* raiſes an Army, invades *England* twice, plunders the Country, and returns home.

The *Marches* not being able to defend themſelves, thoſe of *Northumberlrnd* pay him Money for a Truce.

When [3.] King *Robert* heard that the King of *England* was returned home with moſt of his Forces, he thereupon rais'd a great Army, and about the middle of *Auguſt* entred *England* by *Solway-Frith*, and having burnt and plundered the Country of *Gilleſland*, and great part of *Tindale*, after eight days ſtay he return'd into *Scotland*, with a good Booty, without any oppoſition: Nor did he reſt contented with this, but in the beginning of *September* entred again by *Redeſdale*, and burnt and ſpoil'd all thoſe parts as far as *Corbridg*, killing many of the people; then turning aſide into *Tindale*, he deſtroy'd whatever was left before, and after fifteen days ſtay, returned home. And it ſeems the *Scotiſh* Army was ſo powerful, that the Wardens of the Marches were not able to defend themſelves with thoſe ſmall Forces that were left them, ſo that the reſt of the people of *Northumberland*, fearing another *Scotiſh* Invaſion, ſent Meſſengers to that King, offering Two thouſand Pounds in ready Money, to obtain a Truce but till *Candlemas* following, which was granted them upon thoſe Terms.

[3] Id Ib. The Knights *Templars* confeſſing their Crimes, are confined to Monaſteries, there to do Penance during their Lives.

* Ribaldi.

* C. W. H.

As for Eccleſiaſtical Affairs, I find nothing conſiderable, [3.] but that there was this Year held a Provincial Council at *London*, wherein all the Knights *Templars*, who were before impriſon'd, were now judicially accuſed of Hereſie, and other moſt enormous Crimes, but tho' they all deny'd the Facts, unleſs one or two raſcally * Fellows, yet at laſt moſt of them, ſeeing they could not eſcape, whilſt the Pope and King were their Enemies, confeſs'd, they found they could not clear themſelves canonically of the Crimes laid to their charge; and thereupon they were all condemned to be confin'd to ſeveral Monaſteries, there to perform perpetual Penance, where the moſt part of them behaved themſelves without Offence. * Alſo this Year deceas'd that ambitious Prelate *Anthony Beke*, Biſhop of *Durham*, a Patriarch of *Jeruſalem*, and was ſoon ſucceeded by *Richard de Beaumont*, a Monk of that Church, and one of a Noble Family.

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[4] *T. W.* The King keeps *Chriſtmas* with *Pierce Gaveſton* at *York*, to the great diſcontent of the Queen, *&c.*

The King had made a Secret Proteſtation againſt this *Ordinance* before he confirm'd.

The King (I ſuppoſe) to avoid the Complaints and Reproaches of his Great Men, concerning the Return of *Pierce de Gaveſton*, [4.] remain'd ſtill in the *North*, and kept his *Chriſtmas* with him and certain Foreigners at *York*, being extremely pleaſed, that He had again recover'd his Beloved Favourite; but the Queen and the whole Court were very much grieved and concern'd at it, becauſe they now ſaw the King irreclaimable, for He was reſolved to juſtifie his Minion's Return by colour of Law; and therefore though the Lords had ſo ſolemnly adjudg'd him to Baniſhment, and that Decree was likewiſe confirm'd by the King Himſelf upon an Oath, yet it ſeems at the ſame time, when He confirm'd thoſe Ordinances, He had entred a private Proteſtation againſt 'em to this effect, *viz.* That if they contain'd any thing to his damage or prejudice, or contrary to the Commiſſion granted to the *Ordainers*, all ſuch things ſhould be looked upon as not granted or confirm'd by Him; further reſerving to Himſelf in that Proteſtation, Power by Good Advice of the ſaid *Ordainers* and *Others*, to correct and amend the ſame; as is more at large contain'd in a publick Inſtrument made of this *Proteſtation*; which, as Dr. *Brady* well obſerves, was never enter'd on the Parliament Roll, nor ever made publick, till ſome time after, *viz.* in the ſixth Year of this King's Reign, and then it is found enter'd on the * Patent Roll: Nor indeed would the Prelats and Great Men of the Kingdom have ever admitted ſuch a Proteſtation, for that would have made the King ſole Judge of what was to His damage or prejudice, and conſequently then it would have been in His power to correct or alter it as He pleaſed, not only by the Advice and Conſent of the *Ordainers*, but any others whom He had a mind to chuſe.

* Rot. Pat. 6. *Ed.* 2. Part 2. M. 20. intus. printed in Ryley's Plac. Parl. f. 541.

And, I ſuppoſe, it was by virtue of this ſecret Proteſtation, that whilſt He continued at *York*, He publiſhed a Declaration to juſtifie what He had done in receiving *Gaveſton* (which is ſtill upon * Record in the *Tower*) directed to the Sheriff of *Yorkſhire*; reciting, That whereas the Lord *Pierce Gaveſton* Earl of *Cornwal*, was lately baniſh'd from the Realm, *contrary to the Laws and Cuſtoms thereof, which He was bound by the Oath He had taken at his Coronation, to obſerve and maintain*, and that the ſaid Earl had been during his Exile, faithful and loyal, but was now returned into the ſaid Realm at His Commandment, being ready to ſtand to Right before Him (*i. e.* the King) againſt all Men who ſhall challenge and demand it, according to the Laws and Cuſtoms of the Kingdom aforeſaid; wherefore He held him for a good and lawful Subject within His Fealty and Peace, and ſhould always hold him for ſuch; and therefore commands the Sheriff by His Royal Power or Prerogative, that he likewiſe eſteem him as ſuch; and that he cauſe this Declaration to be publiſhed through his whole Bailywick: Given at *York* the eighteenth of *January*.

* Rot. Clauſ. 5 Ed. 2. M. 15. Dorſ. printed in Dr. *Brady's* Appen. N 53.

The King iſſued out a Declaration juſtifying his receiving *Gaveſton*, and the reaſon of it.

The like Letters were ſent to all the Sheriffs of *England*; and on the ſame Roll is entred, That the Form of this Writ was made by the King Himſelf; and the Seal with the Writs delivered to the * *Clerk* to ſeal them, at the day and place therein appointed; and that as ſoon as they were ſealed in the King's preſence, He took them into His Hand, and laid them on His Bed: This is left untranſlated by Dr. *Brady*, but I have thought fit to take notice of it, becauſe it diſcovers to us, how that theſe Writs were drawn up by the King, and ſealed without any one's advice or privity, except *Gaveſton's* and the Clerk's that tranſcribed them, and he that put the Seal to them.

* In the Record he is called *le*, *Spigurnel* (*i.e.* the Sealer of Writs in old *French*.

Theſe Writs ſealed in the King's preſence, without any being by, but the Clerk and *Gaveſton* himſelf.

But I cannot forbear taking notice, that the Dr. is miſtaken in his Tranſlation of part of * this Record thus, *That ſeeing he* (viz. *Gaveſton*) *had in the Inſtrument of Exile no other Appellations, but of Good and Loyal, he had return'd at his Commandment*: Which is directly contrary to the Twentieth Article of the above recited *Ordinances*, wherein he hath ſuch things laid to his Charge, as by no means could conſiſt with thoſe Appellations: But the Reader may ſee the true Reading in the Margin, with the miſtaken one made by the Doctor.

* In *French* thus, *En le quel Exil, il fu non, autre que bon & leal & meiſmes celui Counte par noſtre maundement*, &c. note where the Dr. for *non autre* hath here put *nome autre*, which is not Senſe, nor Grammar.

Then on the ſame Roll with the former Writ follows another to the Sheriffs of thoſe Counties where the ſaid *Pierce Gaveſton* had Lands, to reſtore them with the Profits they had received, ſince they had ſeized them, into his Hands: Theſe were dated two days after the former.

Another Writ to reſtore *Gaveſton* to the poſſeſſion of his Eſtate.

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[5] *T. W.*

The Lords being highly diſcontented at *Gaveſton's* Return, and the breach of the late *Ordinances*, the King iſſues a *Declaration* to ſatisfie the people's Minds.

But to perſue to our Hiſtory: So [5]. ſoon as the Lds. and Great Men knew of the return of this Favourite, and of the King's ſtrange Indulgence to him, they could not forbear openly declaring, That the Laws and Cuſtoms of the Kingdom were not obſerved, nor the *Ordinances* lately made, regarded, but openly violated and broken at his pleaſure; wherefore to obviate the Effects of ſuch Reports and Clamours, the King iſſued forth a Declaration, which He commanded and firmly enjoined the Sheriffs of all Counties to proclaim in full County Court, in all Cities, Boroughs and Market Towns, and other places, where they ſhould think expedient; ſetting forth, That it was his great care, and main deſire, His Peace ſhould be every where obſerved, and that all the approved Laws and Cuſtoms of the Kingdom, uſed in the time of his Progenitors, and alſo all the *Ordinances* lately made to the honour of God, and Holy Chuch, and his Own, to the profit of Him and the People, *which were not to the damage or prejudice of Him, or his Crown, or contrary to the Laws and Cuſtoms aboveſaid, ſhould be maintained and kept*: Witneſs the King at *York*, the Twenty ſixth Day of *January*.

He writes to the Mayor and Common Council of *London* to ſecure the Peace of the City.

And not long after, fearing ſome Diſturbance from the Lords, He wrote to the Mayor, Aldermen and Common-Council of *London*, to ſecure the City; ſo that by the meeting of the Prelates, Earls, Barons or any others, there might happen no hurt or danger, either to Him or the City: Witneſs the King at *York*, the eighth day of *February*.

This Declaration and Order not availing, the King (as He ſaid) being reſolved to preſerve the Rights of His Crown and Dignity Royal, the Peace and Tranquility of Holy Church, and the whole People committed to his Charge in all things, wrote to this purpoſe to all Sheriffs (the neareſt to the place where He was) to ſignifie this His Will and Pleaſure to all people, ſo ſoon as poſſible, leſt by contrary Reports it might be ſuſpected, He could not do it; and commanded them to make Proclamation thereof by Themſelves and their Deputies once a Week, in all Cities, Burghs, Mercat-Towns, and other places in their Counties: And that his Intention might yet be more plainly known, He directed the Sheriffs to come and attend upon Him, and every one to bring with him a Perſon of Credit, whom He could truſt, to hear what he had farther to ſay to them, that ſo they might acquaint the people with it, as He ſhould there openly enjoin them: Witneſs the King at *York*, the Twenty fourth day of *February*.

The King appoints certain Commiſſioners to reviſe the late *Ordinances*.

This way likewiſe proving ineffectual (for it ſeems the people were but little edified with all theſe Declarations, ſo long as they ſaw the late *Ordinance* thus apparently broken; wherefore the King meant to take another Courſe, and proceed amicably and fairly with the diſſatisfied Biſhops and Barons; and according to the Power reſerved in the late *Proteſtation* He made when He confirmed the *Ordinances*, He appointed new Commiſſioners, *viz.* the Biſhop of *Norwich*, *Guy Terr*, *John de Crumberwell*, *Hugh de Audley*, *William Deyncourt*, *Henry Spigurnell*, *Henry le Scrope*, Knights, (the two laſt of which were Juſtices) and *Thomas de Cobham*, *Robert de Pickering*, *Walter de Thorp*, *Gilbert de Middleton*, *John Fraunceys, and Andrew Briggs*, Clerks, or ſo many of them as could be preſent, to treat with the Prelates, Earls and Barons who had made the *Ordinances* (upon which were grounded all the late Diſputes and quarrelling with the King) to correct and reform by their

Good Advice, all ſuch things in them, as they thought were pejudicial and injurious to Him, or contrary to the Form of the Commiſſion granted to them, if any ſuch were. Witneſs the King at *York*, the 18th day of *March*.

But the diſcontented Prelates, Earls and Barons, who were then at *London*, excuſed themſelves from treating concerning the ſaid *Ordinances*, in the abſence of the King, and therefore * ſent Him this Anſwer, *That in his Preſence, whenever He pleaſed to call them together, they would treat upon the ſaid* Ordinances, *and ſhould be ready to do all things according to the* Proteſtation *He had made, and alſo according to the* Proteſtation *they made at the time of publiſhing thoſe Ordinances*: And thus things remain'd ſtill in the ſame State as they were.

* Pat. 6. Ed. 2. Part 1. m. 20. intus printed in Ryl. Plac. Parl. f. 541.

The diſcontented Bps. and Barons refuſe to meet or treat with them, unleſs in the King's preſence.

But laying aſide Records, we ſhall now from our Hiſtorians give a more exact account of the Actions of the diſcontented Earls and Barons, upon the coming over of *Gaveſton*: [2.] So ſoon as the Report of it was ſpread throughout the Kingdom, the Great Men being mightily provoked at it, met and conſulted together what Courſe to take, to put an end to that Diſturbance they foreſaw muſt riſe about him; and tho' they were very loath to raiſe a Civil War againſt the King, yet when they had conſidered the danger on both ſides, and found that ſo long as this Favourite lived, the Kingdom could have no peace, nor the King any Money, nor yet the Queen enjoy his Conjugal Affection, as ſhe ought; therefore when they had for ſome time maturely weighed all the Circumſtances of this Affair, both preſent and future, they at laſt reſolved to endure the worſt that could happen, rather than thus to be ſlighted and contemned by a Foreigner; to prevent which, they choſe for their Leader, *Thomas* Earl of *Lancaſter*, the firſt Prince of the Royal Blood, as being Son to *Edmund*, who was younger Brother to the late King *Edward*, a perſon very remarkable for his Valour and Probity; who beſides his natural averſion to Arbitrary Power, was the more encouraged to engage in this Cauſe, by the Dying Speech of his late Father-in-Law, the Earl of *Lincoln*; which (as my [3.] Author relates) was to this effect, *That ſince God had bleſſed him with a greater Eſtate than any Nobleman in* England, *therefore he was bound the more to honour him; and now ſince he ſaw the Church of* England, *that was wont to be free, brought into Servitude by the Oppreſſions of the* * Romans, *and the unjuſt Exactions of our Kings; and the People alſo which were wont to enjoy many Liberties, were brought into the ſame Condition by divers Tallages and Taxes unjuſtly impoſed on them, he therefore adjured him, by the Bleſſing of God and his own, that whenever he had an Opportunity, he ſhould free and defend the Church and People from ſuch Oppreſſions for the Honour of God; that tho' he ſhould pay all due Honour and Reverence to the King, that was his Lord, yet ſhould he cauſe him to remove from his Court Evil Counſellors and Strangers, and effectually to obſerve the Tenor of* Magna Charta, *and the other Articles* (i. e. *the late* Ordinances) *demanded by, and granted to the Clergy and Laity; and that in order to the accompliſhing theſe things, he ſhould contract a ſtrict Alliance with* Guy *Earl of* Warwick, *who better underſtood them than any other.* Having ended this Speech, he took his leave of the World; and after his Funeral, the Earl of *Lancaſter* entred into a Confederacy for this purpoſe with *Humfry de Bohun* Earl of *Hereford*, *Adomer de Valence*, Earl of *Pembroke*, *Guy Beuchamp*, Earl of *Warwick*, the Earl of *Arundel* and other Barons, too many to be here recited;

[2.] *T. W.*

[3.] Id. ib.

* *i. e.* The Court of *Rome*.

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ted; but as for the Earl of *Warren* and *Surry*, who at firſt inclined toward the King, he was brought off to their Party by the Archbiſhop of *Canterbury*, who now *undertook to relieve his* Holy Mother *the Church from Oppreſſion, and recover the due Liberty of the Kingdom.*

[4] Id. ib.

[4.] The Earl of *Lancaſter*, being choſen Captain General by all that undertook this Cauſe, before they took up Arms, by Common Agreement ſent to the King then at *York*, a very reſpectful and humble Meſſage, beſeeching Him either to deliver *Pierce Gaveſton* to them, or elſe as it had been already *ordained*, command him to avoid the Kingdom. The King took ſmall notice of their Supplications, and reſolving not to grant them (ſo great was this Minion's power over Him) He for his ſecurity carried him from *York* to *New-Caſtle* upon *Tine*; upon which News, the Earl of *Lancaſter* and the Confederate Lords having already raiſed an Army, march'd towards that place; not that they *intended* (ſays my Author) *any injury to their Lord the King*; but only to ſeize *Pierce Gaveſton*, and judge him according to the *Laws* and *Ordinances* lately made; and though the King had ſecured that Town by a Gariſon, yet durſt they not ſtay there; but leaving the Queen at *Tinmouth*, not far off, (notwithſtanding ſhe was great with Child, and beſought Him with Tears not to quit her Company) He took a Veſſel, and ſailed with his beloved *Gaveſton* to *Scarburgh*, where He placed him (as He thought) ſecure enough, with *Henry de Beaumont*, a *Frenchman*, whom He made Governor of it; and having given farther Orders for the victualling and defence of the Caſtle, in caſe it ſhould be beſieged by the Barons, He Himſelf went again to *York*, hoping to raiſe ſome Forces thereabouts to relieve it, but He found himſelf miſerably miſtaken, none coming into his aſſiſtance; then preſently after the King's departure, the E. of *Lancaſter*, and the Confederate Earls and Barons came with their Forces to *Newcaſtle*; and [1.] *Tricklow*'s Chronicle farther relates, That the Earl of *Lancaſter*, before he left that place, in order to perſue *Gaveſton*, ſent a Meſſenger to the Queen, then at *Tinmouth* Caſtle, to comfort Her, aſſuring Her, that He would not give over his perſuit, until he had revenged Her Quarrel, and removed that Minion from the King; and the Earl alſo made his Excuſe for not coming to Her in Perſon, leſt for Her ſake he ſhould incur the King's farther diſpleaſure.

[5.] Chron. Lan.

The K. leaves the Queen at *Tinmouth*, and goes with *Gaveſton* to *Scarburgh*, and then returns to *York*, to raiſe freſh Forces.

[1.] MS. in Bib. Cot.

The Earl of *Lancaſter*, with the Confederate Earls, *&c.* come to *Newcaſtle*, and ſend a Compliment to the Queen at *Tinmouth*.

[2] . *W.*

They alſo ſeize upon all *Gaveſton's* Goods, and ſo retire.

Then [2.] the Lords ſeized upon *Pierce Gaveſton*'s Horſes, and other Goods he had left at *Newcaſtle*, cauſing them to be valued, and put into ſafe Cuſtody, and then marched with what ſpeed they could to *Scarburgh*, and beſieged it; but the Earl of *Lancaſter* finding no oppoſition, return'd home with his Forces, that ſo he might not be burthenſome to the Adjacent Countrey, and left the Earls of *Pembroke* and *Surrey* to take the Caſtle of *Scarburgh*, who in a ſhort time ſo weary'd out the Gariſon within by conſtant Aſſaults, that they were not able to defend it; whereupon, when *Gaveſton* ſaw there was no Remedy, he ſurrender'd himſelf upon certain Conditions; which a MS. *French* Chronicle of *Chriſt* Church, *Canterbury*, hath ſet down at large in an Inſtrument, drawn up by way of Indenture, between the Earls of *Pembroke* and *Surrey*, and the Lord *Peircy*, on their Part and *Pierce Gaveſton*'s; whereby they engaged and ſwore on the Holy Sacrament, 'Not to do 'him any hurt, or permit any to be done him, but that they would 'convey him ſafely to the King then at *York*, and deliver him in the 'preſence of the Earl of *Lancaſter*; and if He aſſented to theſe Articles, 'then

Scarburgh Caſtle being cloſely beſieged by the Earls of *Pembroke* and *Surrey*, *Gaveſton* ſurrenders himſelf on certain Conditions.

'then the ſaid Earl *Gaveſton* was to remain in the Cuſtody of theſe 'Lords till the next Parliament; but if they ſhould not grant what was 'now agreed to, the ſaid Lords were to convey him back, together with 'thoſe of his Retinue, to the Caſtle of *Scarburgh*, without any Fraud 'or delay: Theſe things being ſolemnly confirm'd under their Seals, 'was dated at the Caſtle the Nineteenth of *May*: Whereupon *Pierce* '*Gaveſton*, with thoſe that were with him, came out of the place, 'and ſurrender'd themſelves to the Noblemen above-mention'd.

When [3.] the King heard that His Favourite was thus taken, and being very deſirous to ſee him, once more interceeded that his Life might be ſaved; promiſing them, upon that Condition, to ſatisfie the Deſires of His Great Men in all things; and the Earl of *Pembroke* relying on this Royal Promiſe, perſwaded the Barons to yield to the King's Requeſt, promiſing, under pain of loſing all his Lands, to keep him ſafe, and then to reſtore him to them at a day and place prefixed, but indeed intended to have carry'd him to *Wallingford* Caſtle; when in his way thither, at *Dadington* (or *Deddington*) in *Oxfordſhire*, four or five Miles from *Bambury*, the Earl having committed him to the care of his Servants, while he went to lodge with his Lady at a neighbouring place, the Earl of *Warwick* having notice of it, came privately with a great multitude of Armed Men that Night, and took him from his Guard, and carried him to *Warwick* Caſtle; where (as [4.] ſome Hiſtorians relate) the Earls of *Lancaſter*, *Hereford* and *Arundel* being then aſſembled, it was debated what they ſhould do with him, whether carry him to the King, or put him to death: Then a certain cunning Man among them interpoſed, *That it was to no purpoſe, having been at ſuch charge and trouble in taking him, to hazard the loſing or the ſeeking of him again; and therefore added, That it were much better he ſhould ſuffer Death, than to have a new War raiſed in the Kingdom.* All there aſſenting to this Advice, they preſently took him out of Priſon, and having paſſed Sentence of Death upon him, by certain Juſtices whom they had appointed for that purpoſe, he was carried to a riſing Ground, about a Mile North-Eaſt of *Warwick*, called *Blackloe*, and there (as a publick Enemy of the Kingdom) they cut off his Head on the nineteenth day of *June*.

[3.] Id ib. The King deſires to ſee him, and interceeds for his Life, which is agreed to by the Earl of *Pembroke*, who takes him into his protection.

The Earl of *Warwick* carries him away in the Night to *Warwick* Caſtle, where he is ſentenced to loſe his Head.

[4] Chron. *Eveſ.* MS.

Who is executed at a place called *Black-Loe.*

His [5.] Body was carried to *Oxford*, and there depoſited for a while, in the Church of the Fryers Preachers; but about two Years after, it was removed to *Langley*, where the King had built, and richly endowed a Religious Houſe of the ſame Order, on purpoſe to pray for his Soul.

[5.] *T. W.* His Body buried for a time at *Oxford.*

Such was the Fate of this inconſiderate and unfortunate Young Man, who too much relying on his Maſter's Favour, which he had obtain'd by Evil and Vicious Courſes, became proud, inſolent and preſuming; but this not being able to be ſuffer'd by a powerful and high-ſpirited Nobility, produced his Ruin, as you have heard; though the ſudden and violent manner of doing it contrary to the Articles at his Surrender, is not any way to be commended, much leſs juſtified.

But to make ſome farther Remarks on the manner of his being delivered up to the Barons, whereas Dr. *Brady* relates from a Record in the * *Tower*; that it was not the Earl of *Pembroke*, but the Lord *Henry Piercy*, to whom *Pierce Gaveſton* then ſurrender'd himſelf; yet

* Rot. Pat. 6. E. 2. P. 1. m. 21. printed in Dr. *Brady's* Appen. n. 56.

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yet for all this Writ or Warrant directed to *John de Mowbray*, Governor of *York*, I cannot be of the Doctor's Opinion, that the Earl of *Pembroke* was none of the Lords to whom *Gaveſton* was then delivered, becauſe this Record does not ſay ſo: And beſides, the *French* Chronicle above-mention'd, ſays expreſly, that he was a Party to the Inſtrument, upon which he truſted himſelf in their hands; and though it is true, he is not nam'd in the preſent Record, yet he may be very well comprehended under the *Aliis*; Thoſe others, to whom (as this Record ſays) he then ſurrender'd himſelf.

[1.] *T.W.* The Great men ſend to the King, demanding the obſervation of the late *Ordinances*, whereupon the King thinks fit to treat with them, and ſends for 'em to that purpoſe.

* Rot. Pat. 6 *Ed.* 2. Part. 1. m. 20. printed in *Ryley*'s Placit. Parl. f. 541.

The [1.] Great Men, thus having obtain'd their Wills againſt *Gaveſton*, ſent to the King, poſitively demanding the former *Ordinances* to be confirm'd and put in execution; threatning withal, that if it was not done ſpeedily, they would come and force Him to it; and not having a ſatisfactory Anſwer, they preſently raiſed and united their Forces, and quarter'd themſelves in the Countrey about *Dunſtable*, the King being then at *London*.

When He found himſelf in this great hazard, He thought it beſt for Him to treat with the Confederate Barons; and therefore * ſent *John de Beneſtede*, one of his Juſtices, to the Earls of *Lancaſter*, *Hereford* and *Warwick*, (three of the Lords *Ordainers* of the late *Ordinances*) commanding them to be with Him at *London* or *Weſtminſter*, on the *Sunday* next after St. *Bartholomew*, to treat in His preſence about correcting and reforming the ſaid *Ordinances*, if any thing ſhould be found in them injurious or prejudicial to Him; and was farther to enjoin them by their Faith and Homage, that they ſhould not come with Horſe and Arms. Witneſs the King the fourth of *Auguſt* at *Canterbury*.

* Ib. m. 20. printed in Dr. *B*'s Ap. n. 58.

The Earls to whom the Meſſage is directed, do not think to obey the King's Summons, but take Arms, which is forbidden by his Writ.

But the Earls, to whom theſe Letters were directed, did not think it ſafe to obey them; and * therefore notwithſtanding the ſaid Inhibition, they marched about the Countries with Horſe and Arms, encouraging the people to join with them; whereupon the King not long after, iſſued out a new Commiſſion to the Biſhops of *Norwich*, and *Bath* and *Wells*, together with the Earls of *Richmond* and other Noblemen; wherein reciting the moſt material parts of the former Commiſſion to *John de Beneſtede*, it farther proceeds; 'That ſince the aforeſaid Earls had not come to Him, as they had been order'd and enjoin'd, nor had ſent any one to anſwer for them; and ſince He underſtood that the ſaid Earls with Horſe and Arms, and a great multitude of Armed Men were coming towards Him, to the great terror of the People, He order'd the ſame Commiſſioners to forbid the ſaid Earls, and every one of them, by the Faith and Homage they owed Him, to approach with Horſe and Arms any nearer to Him; and if the Earls would not obey the Prohibition, then to forbid all and every one coming with them to proceed farther, under pain of Treaſon. Witneſs the King at *Weſtminſter*, the third day of *September*. What was done upon the Commiſſion, I find not, but if it were executed, it was without any effect.

[2.] *T.W.* The B^{ps}. with the E. of *Gloceſter*, uſe their Endeavours for a Peace,] who with the *Pope's Nuncios* mediate between the K. and the Lords.

[2.] Whereupon the Biſhops, with the Earls of *Gloceſter*, perceiving this Diſſention would prove dangerous to the Church, as well as Kingdom, uſed all their Endeavours for a Peace: They meet at St. *Albans* with the Pope's *Nuncios*, who were lately ſent by Him as Mediators to procure a Reconciliation between the King and the Lords: Theſe *Nuncios*,

cios ſent certain Clerks from St. *Albans* to *Whethamſted*, about three or four Miles diſtant (where the Barons and their Forces then lay) with the Pope's Letters, perſuading them to Peace; but they would not receive them, ſaying, *They were not Book-learned, but bred up to Arms, and therefore cared not to ſee them:* Then the Meſſengers deſired to know if they would ſpeak with the *Nuncio's*, who would willingly come to them to propound and treat with them about a Project of Accommodation; but this alſo they utterly refuſed, ſending for Anſwer, *That there were many Learned Biſhops in the Kingdom, whoſe Advice they would take, and not that of Strangers, who knew nothing of the Cauſe of this Diſſention.* The *Nuncios* being ſtunn'd at this bold Return, early the next Morning made haſt to *London*, after they had ſtaid at St. *Albans* about a Month to no purpoſe; yet at laſt, ſays our Author, the Biſhops, and Earl of *Gloceſter*, by great Induſtry, concluded a Peace: But this cannot be wholly true, for the Record of the Articles of Peace ſhew plainly, that the Pope's *Nuncio's* had a hand in it, as you will find by and by: Then about the middle of *October* the King and Lords met in a great Council at *Weſtminſter*, where after they had ſat till towards *Chriſtmas*, they were, thro' the Legate's Mediation, reconciled on theſe Conditions, in the following Form, tranſlated from the *French* * Original, on Record in the *Tower*.

The Lord's refuſe to treat with the Legats, and the bold Anſwer they ſent 'em.

A great Council at *Weſtminſter*, where a Reconciliation is made between the K. and Lords, and upon what Terms.

* Rot Clauſ. 6 *Ed* 2. m. 8. dorſ. printed in *Riley*'s Placit. Parl. f. 538.

'This is the Treaty of Peace, Upon certain Diſpleaſures the King 'had conceiv'd againſt the Earls of *Lancaſter*, *Hereford* and *Warwick*, 'and other Barons and Great Men of his Realm, being made and accord'ed before the honourable Father Monſieur *Emald*, by the Grace of 'God Prieſt and Cardinal, by the Title of St. *Priſca*, Monſieur *Arnold*, 'Biſhop of *Poictiers*, ſent into *England* by our Holy Father the Pope, 'alſo Monſieur *Lewis* of *France*, Earl of *Eureux*; before whom the Earls 'of *Gloceſter*, *Richmond* and *Hereford*, and the Lords *Robert de Clifford* 'and *John Botetorte*, were ſent to *London* with ſufficient power to do, 'treat and agree on the part of the Earls and Barons; the Lords *Hugh Le* '*Diſpenſer* and *Nicholas de Segrave*, being alſo deputed by the King to hear 'the ſaid Treaty, and report it to him in the manner following. The firſt Article was;

The Articles of this Treaty of Peace.

'*1ſt.* That the Earls and Barons ſhould come before the King in *Weſt*'*minſter-hall*, and with great Humility on their Knees make their Sub'miſſion, and ſwear, if He would ſo have them, That what they did, 'and for which they had incurr'd his Diſpleaſure, was not done in de'ſpight of Him, and they ſhould humbly pray his Forgiveneſs, and re'ceive it with a good will; and ſhould reſtore all that was taken at '*Newcaſtle* upon *Tine*, or other places from *Pierce Gaveſton*, deceaſed, 'whatever it was, *viz.* his Jewels, Horſes and other things, &c

'*2d.* The Second Article contain'd a Bill for the ſecurity of the 'ſaid Earls and Barons, their Adherents and Allies, which was to be 'paſſed into a Statute at the next Parliament, to be holden on the Third '*Sunday* in *Lent*; and farther, that the King ſhould releaſe and quit 'the Earls, Barons, their Adherents, Friends and Allies, all Rancor, 'Diſpleaſure, Actions and Accuſations, &c. which had aroſe by the 'occaſion of *Pierce Gaveſton*, whether it were for the taking, detain'ing, or Death, or the ſeizing any Town or Caſtle, or beſieging of 'them, or for bearing of Arms, or impriſoning any perſons in order 'thereunto.

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3*d*. Alſo it was agreed, 'That if this Security pleaſed the Earls, tho they would not come to Parliament in their proper perſons, yet they might ſend their Proxies with ſufficient power to receive and conſent to a Security to be made in that Parliament, for the Adherents and Receivers of *Pierce Gaveſton*; which Security was then treated of and agreed, and is there recited.

4*th*. Alſo the ſaid *Treators* agreed, 'That in the next Parliament there ſhould be proviſion made by the Common Aſſent of the Prelates, Earls and Barons, that in all Parliaments, Treaties and other Aſſemblies in *England*, for that time forward, for ever, all Men ſhould come without Force and Arms, peaceably, to the honour of the King, and the Peace of Him and the Realm; and the three Lords Treators promiſed to uſe their utmoſt Endeavour, with the Earls of *Lancaſter* and *Warwick*, by themſelves or Proxies, that they would conſent to this *Proviſion*: And farther it was order'd, That no Buſineſs ſhould be propounded in this next Parliament, before the ſaid Securities, and this Proviſion was made and confirmed; nor any to come with Arms; and then they might treat of other Parliament-Matters, as there might be occaſion.

5*th*. Alſo the *Treators* promiſed, 'That after this Reconciliation was made, they would do what in them lay, and uſe their utmoſt Endeavours with their Peers, that the King ſhould have an Agreeable Aid of the whole Realm for his War againſt *Scotland*.

'6. Alſo whereas the ſaid Treators complain'd, that the King, ſince the ſafe Conduct given for this Treaty to the Lords and their Adherents, had cauſed the Lands and Goods of Sir *Griffin de la Pole* to be ſeized, and alſo of Sir *Fouk L'eſtrange*; therefore there were to be two Juſtices (not ſuſpected of Partiality) appointed by the King to examine theſe Matters, and do them right.

'7. Alſo that the Goods of Sir *Henry de Piercy*, which were ſeized by the King, ſhould be reſtored by Pledges or Sureties by the next Parliament.

8. Alſo it was agreed on behalf of the King, 'That all Men might ſafely paſs and repaſs through the Kingdom of *England*, or elſewhere, for the diſpatch of this Buſineſs under his Protection, they neither doing nor receiving any Wrong. This Conduct and Security was to continue until *Pentecoſt* next coming; and of this the King was to grant Letters under the Great Seal to the Earls, Barons and their Adherents. Then follows this Memorandum.

'The Collation of this Indenture was made and read in the Year of Grace 1312, on the *Wedneſday* next before *Chriſtmas*, in the Cardinal's Chamber at *London*, in the preſence of the ſaid Cardinal, the Biſhop of *Poictiers*, the Biſhop of *Worceſter*, the Earl of *Pembroke*, and many others: In Witneſs whereof, one part of the Indenture remain'd with the King, and the other part was given to Maſter *John Waleweyn*, and *Michael de Meldon*, to be carried to the Earls and Barons.

Yet for all this, the Securities mention'd in the Second Article of the *Treaty*, were not paſſed into Statutes, nor the Submiſſion made by the Lords in the next Parliament, which was ſummon'd on the twentieth of *January*, in the Sixth Year of the Reign of this King, to meet

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on the Third *Sunday* in *Lent*, nor yet in the next to that, which was ſummon'd on the Twenty third of *May* next following, to meet fifteen days after the Nativity of St. *John Baptiſt*; but being ſtill put off, was done in that which was ſummon'd on the Twenty ſixth of *July*, in the Seventh year of his Reign, to meet on *Sunday* next after the Feaſt of *S Matthew* the Apoſtle, as you will find hereafter, and alſo appears by the old Edition of Statutes, printed 1540.

Thus a Peace was concluded at length between the King and the Earl of *Lancaſter*, and the reſt of the Earls and Barons that were of his Party: But the King took the Death of *Pierce Gaveſton* ſo heavily, that He never forgave thoſe that had a hand in it, but ſeverely revenged it upon moſt of them, as you will read in due time. I meet with little elſe of moment to have happen'd this Year, [3.] but that on the Thirteenth of *November*, the King received ſome Comfort for the loſs of his Favourite, by the Birth of his eldeſt Son at *Windſor*, to the great joy of the whole Nation; who (upon his Father's Depoſition and Reſignation of the Crown) ſucceeded to it by the Name of *Edward* the *Third*.

[3.] *T W.* The Birth of P. *Edward*, afterwards King *Edward* the 3d.

[4.] In the mean while, if we look into the North Parts of *England*, we ſhall find them in a moſt miſerable Condition; for King *Robert* hearing of theſe Diſſentions between the King and his Nobility, with a great Army again invaded *England* about the middle of *Auguſt*, and burnt the Towns of *Hexham* and *Corbridg*, and waſted all the *Weſtern* Parts; and no Forces being left able to reſiſt him, he ſent a great part of his Army as far as *Durham*, who coming thither on the ſudden, plunder'd and burnt great part of it, killing thoſe that made any reſiſtance; yet the Caſtle and Precinct of the Church and Abby being well fortified, they could not ſtay to beſiege them, but the People of that Biſhoprick, fearing what farther Miſchief the *Scots* might do them, compounded with them for the ſum of Two thouſand Pounds, to enjoy the benefit of a Truce till *Midſummer* next enſuing, which the *Scots* would not grant, unleſs upon this Condition; That they might have free Ingreſs and Regreſs through that County, whenever they had a mind to invade *England*; and then the People of *Northumberland* fearing the like Conſequences, paid Two thouſand Pounds more to be included in the ſame Truce; as did alſo the Counties of *Cumberland* and *Weſtmorland*; but they not having ready Money ſufficient to pay the whole down, were forced to give Hoſtages for the Remainder: This done, King *Robert* and his Army return'd into *Scotland* with a great ſtore of Priſoners and Plunder. Some time after this, in the beginning of *December*, the *Scots* had like to have ſurpriz'd the Town of *Berwick*, by the means of certain Scaling Ladders of Ropes, which they hung by hooks upon the Walls; but they being diſcover'd by the barking of a Dog, were forc'd to retire with Loſs: But though King *Robert* was diſappointed here, yet He had better Succeſs in his own Countrey; where not long after, by means of the like Ladders, He ſurprized St. *John's-Town*, and put the *Scots* that were of the *Engliſh* ſide to the Sword; but as for the *Engliſh* themſelves, they had their Lives and Liberties given them by the Conqueror, who now almoſt quite demoliſhed the Town, becauſe the *Engliſh* ſhould not fix there any more.

[4.] Chron. Lan.

The King of *Scots* invades *England*, waſtes the Countrey, and burns part of *Durham*, and makes the whole Biſhoprick compound for a very large Sum.

The *Scots* had like to have taken *Berwick* by ſurprize.

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[5.] *T. W.*

The [5.] King this Year kept his *Chriſtmas* at *Windſor*, being attended by few *Engliſh*, but many *French* Noblemen, who by their private Whiſpers and Detractions increaſed the King's Averſion againſt the Ba-

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rons, and made him not at all value their Counſels; ſo that the former Differences between the King and them began to revive, for what pleaſed one of them ſtill diſpleaſed the other.

The King is incited againſt the Barons by certain *French* Noblemen

* Rot. Clauſ. 6 *Ed.* 2. m 3. Dorſ.

The King reſolves to make a Voyage into *France* with his Queen, and goes to *Paris*.

[1.] Chron ad Mur.

After which I find nothing conſiderable until the Month of *May*, when the King reſolved to make a Voyage, together with his Queen, into *France*, to tranſact ſome Affairs with his Father-in-Law King *Philip*, as appears by the * Writs of Summons for a Parliament, to meet fifteen Days after *Midſummer* next enſuing, and bears Date the Twentieth of *May*, at *Dover*, though it was then put off, and afterwards diſſolved, without doing any thing conſiderable.

Then [1.] the King having appointed *John de Brokensford*, Biſhop of *Bath* and *Wells*, Guardian of the Kingdom in his Abſence, paſſed over to *Calais*, and from thence went to *Paris*, where He was preſent at the Solemnity of Knighting *Lewis*, eldeſt Son to the King of *France*, with his Brothers *Charles* and *Philip*, which was perform'd on *Whitſunday* following, with great Solemnity.

[1.] Chron. S *Auguſt.* MS.

* Rot. Clauſ. 7 *Ed.* 2. m. 27. Dorſ.

The King at his Return ſummons another Parliament.

[2.] *T. W.* Chron. Lan.

In which the King complains of the Injuries he had received by their taking *P. Gaveſton* and cutting off his Head; with the Anſwer of the Lords.

The Queen and Earl of *Gloceſter* mediate an Agreement between the King and Barons, and on what Conditions.

[1.] King *Edward* and his Queen remain'd in *France* till towards the middle of *July*, then they return'd into *England*, as appears by the * Writ of Summons to another Parliament; wherein it is ſet forth, That little or nothing having been done in the laſt Parliament (which was held during the King's Abſence), He therefore ſummon'd another to meet at *Weſtminſter*, the *Sunday* after St. *Matthew*'s-day (or Twenty firſt of *September*) next enſuing, which Writ bears date at *Dover* on the Twenty ſixth of *July*, in the Seventh Year of his Reign, not long after his return. [2.] This Parliament being met on the Day aforeſaid, the Earl of *Lancaſter* appeared there with a great number of Armed Attendants rais'd from his own Tenants; the King began to renew his Complaint before the Clergy and Laity, concerning the Affronts and Injuries that had been done Him at *Newcaſtle*, and of their taking *Pierce de Gaveſton*, and cutting off his Head, contrary to the Articles he had made at his Surrender; but the Confederate Earls and Barons on the other ſide unanimouſly anſwered to theſe Accuſations, That they had in no ways offended the King in what was laid to their Charge, but rather deſerved his Thanks and Good Will, ſince they did not bring an Army thither in Contempt of his Authority, but that they might deſtroy a Publick Enemy of the Kingdom, who had been often baniſhed by the *Community* thereof, and which Sentence had been confirm'd by the King Himſelf, as being a Perſon who had not only injured the King's Reputation, but had robb'd the Crown of its Revenues, and had raiſed perpetual Diſſention between the King and his Natural Subjects: And they alſo boldly declared, That they would no more truſt to his vain Promiſes, or be deferr'd any longer of their Security; which the Queen with the Prelates, and the Earl of *Gloceſter* (who now again ſtood Neuter) perceiving, they did what they could, by mitigating the Diſpleaſure of both Parties, to make Peace between them; and at laſt it was concluded by their Mediation, That the King ſhould wholly remit his Diſpleaſure towards them, provided thoſe Barons, with their Partakers, did in *Weſtminſter-Hall*, in full Parliament, perform what had been ſometime before agreed on, *viz.* That they ſhould humble themſelves before Him, and beg his Pardon in whatever they had offended Him, and thereupon the King ſhould receive them again into his Grace and Favour, and ſhould look upon them for the future as his Leige-

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men and Subjects; and confirming all the Articles required, ſhould never again queſtion any man for the Death of *Pierce Gaveſton*; but ſhould grant his Charter of Pardon and Indemnity to all that ſhould deſire it: All which Particulars being agreed to by the King, and perform'd by theſe Barons, they and the reſt of the Great Men of the Kingdom conſidering the King's Neceſſity, granted Him a *Fifteenth* of all their moveable Goods, and ſo the Parliament was diſſolved, every man going home with joy and ſatisfaction.

The Reader is alſo to take notice, that * there were paſſed in this Parliament two ſeveral Statutes, the former of which hath this Title, *Ne quis occaſionetur pro morte Petri de Gaveſton*; *i. e.* That no Man be proſecuted for the Death of *Pierce Gaveſton*: And the other was for the ſecurity of ſuch as had adhered to, or received him, as this Title ſhews; *Ne quis Occaſionetur pro Reditu Petri de Gaveſton, viz.* That no Man be proſecuted for the Return of *Pierce de Gaveſton*: But why theſe Securities did not paſs in either of the laſt Parliaments, (as had been already agreed to) I cannot tell, unleſs it ſhould be by reaſon of the King's Abſence, and becauſe the Lords thought themſelves ſafe enough without them, and did not care to humble themſelves, and beg the King's Pardon for what they had done; tho' without this they had no right to demand the ſaid Act of Indemnity.

* Vid. the Old Edit. of Stat. printed 1556. p. 42^b. 44^a.

I ſhall conclude this Year with the unhappy Succeſs of the *Engliſh* Forces that were left in *Scotland*, where [3.] King *Robert Bruce* taking advantage of the late Diſſentions and Differences between the King and his Nobility, had now reduced moſt part of *Scotland* to his Obedience, having the Year before taken St. *John's*-Town by ſurprize (as hath been already related) upon which, not long after, the Gariſons in *Dumfrees*, *Ayre*, and ſeveral other Places, ſurrender'd to the *Scotiſh* King; and this preſent Year the Caſtle of *Roxburgh* was ſurprized by *James Douglas*, which they demoliſhed, and that of *Edinburgh* was alſo taken by *Thomas Randulph*; for whilſt the *Scots* made a feign'd aſſault on the *South* Gate, and the Gariſon was employ'd in the defence of it, ſome others clamber'd up the Rock, and clapping Scaling-Ladders to the Walls, entred and let in the reſt of their Countreymen: [4.] Yet a Manuſcript Author here obſerves, that one great Reaſon why all theſe Caſtles made no better a reſiſtance, was, becauſe moſt of them had been by the King put into the cuſtody of Foreigners, who would not venture any hazard in their defence.

[3.] Boeth. Lib. 4. Buchan Lib. 8.

The King of *Scots* reduces *Scotland* to his Obedience, taking St. *John's* Town, *Edinburgh* and other Places.

[4.] Scala Chron. in Bib. Ben.

In the mean while [5.] *Edward Bruce* the King's Brother, cloſely beſieged the Caſtle of *Sterling*, in which was *Philip Mowbray*, a ſtout and provident Governor, who ſeeing the late great Succeſs of the *Scots*, had ſtrongly fortified, and very well victualled it; ſo that the Lord *Edward Bruce*, after ſome time lying before it, deſpaired of taking it by force, wherefore both ſides agreed on theſe Conditions: That if the *Engliſh* did not relieve the Caſtle within a Year from the Day of the Treaty, it ſhould be delivered unto the *Scots*; and that the Gariſon ſhould have ſafe Conduct to go whither they would, with all their Goods; which was afterwards perform'd accordingly.

[5.] Id. *Buchan.*

The Caſtle of *Sterling* cloſely beſieged.

As to Church Matters, this Year [1.] *Robert Winchelſey*, Archbiſhop of *Canterbury*, deceaſed on the 20th Day of *May*, after he had held that See 18 Years; he was a ſtirring intrieguing Prelate, and being highly devoted to the Papal Intereſt, had given the late King *Edward* a great deal

[1.] Chron. Will. Thorne ad hunc Ann. Col. 2278.

The deceaſe of *Robert* ABp. of *Canterbury*.

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[2] *T. W.*

He is ſucceeded by *Walter Reynolds* Bp. of *Worceſter.*

deal of Trouble, as you have ſeen in his Reign; and it was chiefly thro' his encouragement that the Earl of *Lancaſter* ſo ſtrongly reſiſted the King's Exorbitant Courſes. [2.] Upon his Deceaſe the Monks of *Chriſt-Church Canterbury* choſe *Thomas de Cobham*, Doctor in Divinity, a Perſon of great Worth and Learning, Archbiſhop, but the Pope vacated the Election, and by the King's Interceſſion nominated *Walter Reynolds*, Biſhop of *Worceſter*, then Chancellor, one of more Secular Prudence than Learning, but a great Favourite of the King's, who was conſecrated in the beginning of *October* following; but however the Pope, to make Dr. *Cobham*, whom he had ſet by, ſome Amends, not long after promoted him to the See of *Worceſter*.

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[2.] *T. W.* Chron. Lan.

The *Scots* again invade *Northumberland*, and aſſault *Carliſle*; whereupon the King reſolves upon an Expedition againſt them, and ſummons the *Militia* of the Kingdom to *Newcaſtle* for that purpoſe.

The Earls of *Lancaſter*, *Warwick*, &c. refuſe to attend him, and for what reaſon.

The K. draws out his whole Army to fight the *Scots*, and receives an entire defeat, with great loſs of men

[3]. Buchan. Lib. 16.

[2.] K. *Edward* this Year kept his *Chriſtmas* at *London*, and preſently after *Eaſter*, receiving the ill News, that the *Scots* were enter'd *Cumberland*, and had ſpoiled the Country, kill'd the Inhabitants, and burnt many Towns, and aſſaulted the City of *Carliſle*, though they could not take it, by reaſon that ſo many of the People of thoſe Parts had fled thither for refuge: To revenge theſe Injuries, the King reſolved to make a Royal Expedition againſt the *Scots*, to drive them back into their own Countrey; wherefore He ſummon'd the whole *Militia* of the Kingdom to meet him at *Newcaſtle* upon *Tine*, three Weeks after *Eaſter*, and march from thence againſt his Enemies; and all that owed him Service came in to Him, except the Earls of *Lancaſter*, *Warwick*, *Warren*, and *Arundel*, who refus'd to perform their Services, becauſe the King had not effectually obſerved and put the late *Ordinances* in due execution; yet notwithſtanding He marched with a vaſt Army of near a Hundred thouſand Men (as the *Scotiſh* Hiſtorians relate) to the relief of *Sterling* Caſtle; near which being encamp'd, ſome of the *Engliſh* Army made Sallies toward that of the *Scots*, which lay before the Caſtle, and challenged them to come out of their Trenches, and fight them; and they coming out accordingly, were too hard for the *Engliſh*, and ſlew many Gentlemen; at which the King much provoked, was perſwaded to draw out his whole Army the next day, being the Feaſt of St. *John Baptiſt* (or *Midſummer* Day) in order to fight the *Scots*: Then the *Engliſh* Generals drew up their Armies in three Battalions; the middle or main Body conſiſted of Pikemen and Archers; to defend whom, the Horſe were placed in the two Wings; the *Scots* had but few Horſe, and were likewiſe drawn up in three Diviſions; [3.] King *Robert* Himſelf marched in the head of the middlemoſt, whilſt his Brother, the Lord *Edward*, commanded the Right Wing, and Sir *Thomas Randulph* the Left; when the two Armies met, there was for a while a moſt terrible Conflict, but the Right Wing of the *Engliſh* Horſe advancing to fall upon the Left of the *Scots*, which *Randulph* commanded, were overthrown in certain deep Trenches which King *Robert* had ordered to be made, and being cover'd over with Hurdles, were not taken notice of by the *Engliſh* Horſe that fell into them; but this cauſed ſuch a terror and diſorder in the reſt that followed, that they preſently retreated; in the mean while King *Robert* gave ſuch a vigorous aſſault upon the main Body of the *Engliſh*, as made them give ground; for ſeeing a great number of the *Scotiſh* Servants and Boys of the Camp drawn up on the ſide of an adjoining Hill, and taking them for another Body of Men coming down upon them, thoſe that were next began to run, and in their flight diſorder'd them that

were

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[3.] *T. W.* The Earl of *Gloceſter* is ſlain.

were behind: [3] When the Earl of *Gloceſter* perceived this ill Succeſs, being highly concern'd at it, he drew up together all his Soldiers and Military Tenants, who falling pell-mell upon the *Scots*, made a conſiderable ſlaughter among them for a time; but they being few in compariſon of the Enemies, were ſoon over-powered, and he himſelf, tho fighting manfully, was ſlain: the King ſeeing the main Body of his Army routed, wherein He himſelf (engaged) behaved himſelf with ſufficient Courage, till being overpower'd, He was forced to fly toward the Caſtle of *Dunbar*, as did alſo the Earls of *Hereford* and *Pembroke*, but the former was taken Priſoner by the way, as was alſo the Lord *de Mounthermer*, who had married the King's Siſter, Mother to the young Earl late deceaſed.

The King is forced to fly to the Caſtle of *Dunbar*.

[4] Id. ib.

The number of the ſlain on the *Engliſh* ſide.

[5.] Boeth. and Buchan. ib. Much augmented by the *Scotiſh* Hiſtorians.

Beſides [4.] the Earl of *Gloceſter*, there fell that day the Lord *Robert de Clifford*, with many other Barons, beſides Seven hundred Knights and Eſquires; ſo that there were no leſs than an hundred and fifty four Earls, Barons or Baronets killed and taken Priſoners: As for the number of Common Soldiers ſlain on both ſides, our Hiſtorians are ſilent, which ſhews they were a vaſt number; but the [5.] *Scotiſh* Writers relate, That no leſs than Fifty thouſand *Engliſh* were then ſlain, and of their own Nation only Four thouſand; the former of which Accounts ſeems very incredible; but we muſt give them leave to magniſie their Victories as much as they pleaſe, to make ſome amends for their ſo many Defeats. This bloody Battel was fought on the 25th day of *June*, not far from the Caſtle of *Sterling*, and from a ſmall River called *Banock*, which near that place runs into the Sea, (and in which a great number of the *Engliſh* Horſe thinking to paſs over, by crowding upon one another, were drowned) is therefore called the Battel of *Banocksbourn*, and was ſo fatal to the *Engliſh*, that they did not in two Years after make any tolerable Defence againſt the *Scots*, tho they were provoked to it by divers Invaſions: And this Battel may ſerve as one of thoſe many Examples in Hiſtory, where a few reſolute and well diſciplin'd men have put to flight a vaſt number of preſuming and inſolent Enemies; for the *Scots* were not above Thirty thouſand in all.

This Fight is called the Battel of *Banocks Bourn*.

[5.] *T. W.* King *Robert* divides the Spoil among his Soldiers, and ſends back the Bodies of the ſlain Noblemen.

[5.] After the Battel, King *Robert* having cauſed the Dead Bodies to be buried, bountifully divided the Spoils of the Slain among his Soldiers, by which *Scotland* was very much enriched, the *Engliſh* having brought their beſt Equipage to this Battel, beſides a great deal of ready Money.

[1.] Id. *Buchan.* ib.

King [1.] *Edward* ſtaid not long at *Dunbar*, but went by Sea to *Berwick*, and upon his arrival there, the King of *Scots* ſent him the Bodies of the Earl of *Gloceſter*, and the Lord *Clifford*, and generouſly diſmiſs'd the Lord *Mounthermer* without any Ranſom, becauſe he had been formerly very well acquainted with him: As for the Earl of *Gloceſter*, he was a young Nobleman of great Hopes and Valour, and dying without any Iſſue, his vaſt Eſtate fell to be divided between his three Siſters, who being married to three conſiderable Barons, raiſed as many great Families in *England*. Upon this late Defeat at *Banockborn* (the Diſcontented Barons, of whom the Earl of *Lancaſter* was chief) laid all the fault on the younger *Le Diſpencer*, and that it was by his Advice that this Misfortune had happened, as being too favourable to the King of *Scots*; but ſince I find this only in one [2.] Author, and he a Foreigner, I will not paſs my Word for the truth of it.

[2.] *Froyſart* L. 1. cap. 5.

King

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[3] C. A. M. The King ſummons a Parliament at *York*, where little is done.

King [3.] *Edward* leaving *Berwick*, went into *York*, whither He had ſummon'd a Parliament to meet on our *Lady's Aſſumption*, (or fifteenth of *Auguſt*) but the Nation being in a great Conſternation, by the late great Loſs, though this Aſſembly ſat from that time until *Michaelmas*, yet nothing was then concluded about the *Scots*, more, than That they agreed to exchange the Lady of King *Robert*, who had been above nine Years Priſoner in *England*, for the Earl of *Hereford*; and ſome other Noblemen taken in the late Battel, were exchanged for the Biſhop of *Glaſco* and the Earl of *Mar*; but as for the reſt of the Priſoners, they were forced to ranſom themſelves as well as they could.

[4.] *T. W.* Chron. Lan. The King returns into the South of *England*.

After his Departure the *Scots* invade *Northumberland* and lay it waſte.

[5.] Id. Ib. They make another Incurſion, and reduce the Countrey to the Obedience of their King.

So [4.] ſoon as the Parliament was diſſolved, the King return'd into the South Parts of *England*, where He ſpent the Winter: But though an Account of the *Scotiſh* Devaſtations this Year, is not very pleaſant to relate, yet I cannot omit, That ſo ſoon as the *Scots* had notice of King *Edward*'s leaving *Scotland*, about the beginning of *Auguſt* the Lord *Edward Bruſe*, and the Lord *James Douglas*, with other Noblemen, invaded *England* on *Berwick* ſide, with a great Army, waſting and reducing into their Power all *Northumberland* (except ſuch ſtrong Caſtles as held out) and then marched into the Biſhoprick of *Durham*, where they did not ſo much miſchief, becauſe the People ranſom'd themſelves from plundering and burning, by laying down a great ſum of Money, after this entring that Part of *Yorkſhire* about *Richmond*, they did much worſe, driving away a great Booty of Cattel, and taking many Priſoners, without any reſiſtance, all perſons that could flying away before them; then they returned home by *Swaldale*, and burnt *Appelbey* and *Kinkwold* and other Towns in thoſe Parts, but thoſe of *Coupland* redeemed themſelves by paying a great ſum of Money: And not contented with this, [5.] even whilſt the laſt Parliament was ſitting, the *Scots* again entred *England* by *Redeſdale* and *Tindale*, driving away the Cattel, burning the Towns, and deſtroying the Inhabitants, none being able to reſiſt them; then they went and reduc'd all *Gilleſland*, ſo that the People in all thoſe Parts ſwore Allegiance to the King of *Scots*, and paid Him Tribute; in the ſpace of Six Months, the County of *Cumberland* alone, paid no leſs than Six hundred Marks for its ſhare: And *Walſingham* farther ſays, The *Engliſh* were ſo diſpirited, that a hundred of them would run away from two or three *Scotchmen*; which ſhews us how much a Nation, (though otherwiſe ſufficiently courageous) may be caſt down and diſheartened by a long courſe of unexpected Misfortunes. In the mean while the Civil Differences, and Miſunderſtandings between the King and the Diſcontented Nobility ſecretly increaſed, of whom the Earls of *Lancaſter* and *Warwick* were the Chief.

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[1.] *T. W.*

* Rot. Clauſ. 8 Ed. 2 m. A Parliament ſummon'd, wherein the Prizes were ſet on all ſort of Victuals.

This Year the King having kept his *Chriſtmas* at *Windſor*, preſently after removed the Body of *Pierce Gaveſton* his late Favourite, and new buried it at *Langley* in *Hartfordſhire*, with great Solemnity, the Archbiſhop of *Canterbury*, and divers other Biſhops being preſent; from thence He return'd to *London* a little before *Candlemas*, whither *He had ſummon'd a Parliament the day after that Feaſt, or (as the Record more rightly places it) eight days after St. *Hilary* (or 20th of *January*) when the Prelates, Peers and Commons were all there aſſembled, they began firſt to treat of the ſad Condition of the Kingdom, and how to abate the exceſſive price of Victuals, which by reaſon of the late bad

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* Rot. Parl. 8 *Ed.* 2. n. 35, 36.

* *Note*, Silver was then at 20 *d.* the Ounce.

Years was grown ſo intolerable, that the Ordinary People had much ado to live; whereupon according to the Record, the Archbiſhops, Biſhops, Earls, Barons, and others of the Community of the Kingdom, petitioning to the King and His Council, *‘That Oxen, Cows, ‘Muttons, Hogs, Geeſe, Hens, Capons, Chickens, Pigeons and Eggs, ‘were intolerably dear; it was thereupon enacted and proclaim'd in every County, That the beſt Ox not fed with Grain, ſhould be ſold for ‘* 16 *s.* and no more; and if he were fed with Corn, then for 24 *s.* ‘at the moſt; the beſt live Fat Cow for 12 *s.* a Fat Hog of two Years ‘old, for 3 *s.* and 4 *d.* a Fat Weather, or Mutton unſhorn, for 20 *d.* ‘and ſhorn for 14 *d.* a Fat Gooſe for 2½ *d.* a Fat Capon for 2 *d.* a Fat ‘Hen for 1 *d.* two Chickens for 1 *d.* four Pigeons for 1 *d.* and twenty ‘four Eggs for 1 *d.* and thoſe that would not ſell theſe things at theſe ‘Rates, ſhould forfeit them to the King: Which Petition being granted in Parliament, immediately it became a Temporary Statute; yet it could not take any ſufficient effect, by reaſon that the ſcarcity of all Proviſions ſtill increaſed, a Quarter of Corn, not long after, being ſold for 20 *s.* and Barley for a Mark; but the Sheep having been moſt dead of the Rot, and Corn being ſo very dear, Hogs and Poultry could not be afforded to be kept, whereby all manner of Freſh Meats became ſo ſcarce, that the King going to St. *Albans* about the beginning of *November*, had much ado to get Bread to ſuſtain his Family. But to return to ſome more material Matters.

* Rot. Pat. 8 *Ed.* 2. Part 2da. m. 12. Dorſ.

The Parliament gives the King a 20th part of their Perſonal Eſtates; which ſome refuſe to pay.

This Parliament above mention'd gave the King a Twentieth part of their Goods or Moveables; * which Tax, when it came to be raiſed in *Staffordſhire* and *Shropſhire*, ſome diſſatisfy'd People refuſed to pay, and hindred the Collectors appointed by the King from gathering it, pretending it was granted upon certain Conditions; to wit, That He ſhould cauſe the Great Charter of the Liberties of *England*, and the Charter of the Foreſt, with the *Ordinances* lately made by the Prelates, Earls and Barons, and the Perambulation of the Foreſts to be obſerved, which were not then duly obſerved: At which the King was much ſurpriz'd and diſpleas'd, ſeeing He had commanded them to be kept, and had aſſigned Commiſſioners in all Counties to make their Perambulations; therefore that He might be throughly ſatisfy'd about the nature of the Action, and have the Names of the Actors, He then appointed one of his Clerks, with the Collectors, to make Enquiry by themſelves, and if it were needful, by the Oaths of ſo many Lawful Men of thoſe Parts, of all Particulars concerning the ſame, and certifie him diſtinctly of them.

[2.] *T.W.*

* Rot. Claſ. 8 *Ed.* 2. m. 37. dorſ.

Another Parliament, wherein nothing is done; during which the *Scots* waſt *Northumberland*.

[2.] After this another Parliament met fifteen days after *Eaſter* following. But here is no particular cauſe expreſſed in the * Writs, why they met again ſo ſoon, though it may be ſuppoſed, it was to repreſs the Malice of the *Scots*; but becauſe divers of the Great Men making ſome Excuſes for their Abſence, did not then come up, thoſe that were in Town did nothing but trifle away the Time; and even thoſe that were bound to defend the Kingdom, permitted the *Scots* to waſt *Northumberland*, and all the *North* of *England*, as far as *York*; ſo that no Place was ſafe, unleſs it were *Carliſle* and *New-caſtle* upon *Tine*, and a few other ſtrong Caſtles.

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* *Ad hunc Ann.* A more particular Account of the Miſchiefs done by the *Scots*. *Carliſle* beſieged by them, tho' in vain.

And ſince the * Chronicle of *Lanercoſt* gives us a more particular Account of what the *Scots* did in *England* this Year, I ſhall here inſert it: About the beginning of the Spring, they entred the Biſhoprick of *Durham*, and plunder'd the Town of *Herlepool*, the Inhabitants flying to the Ships in the Harbour with ſuch Goods as they could carry with them: The *Scots* return'd from thence with a conſiderable Booty; and about the end of *July*, King *Robert* came with a great Army before *Carliſle*, and laying cloſe Siege to it, aſſaulted it both by Engines and ſtorming, for about 10 or 11 days; but the Townſmen ſo well defended it, that the *Scots* deſpairing of Succeſs, raiſed the Siege; whereupon the Gariſon ſallying out on the ſudden at their Backs, took the Lords *Murrey* and *Bardolph* Priſoners, and carried them into the City: After this the *Scots* endeavoured to have ſurpriz'd *Berwick*, by means of certain Veſſels from the River; but being diſcover'd, were repulſed with loſs. The [3.] *Welſh* alſo being encouraged with theſe ill Succeſſes, roſe under the Conduct of *Lhewellyn Bren*, a *Welſh* Nobleman, and rebell'd and burnt divers Towns, and kill'd a great many of the *Engliſh*; but he was at laſt taken by certain Knights of the King's Houſhold, and ſent up Priſoner to *London*, with his two Sons.

[3]. *T. W.* The *Welſh* rebel.

[4.] *Mezeray* Hiſt. de *France*. The Death of Pope *Clement* V. and Character. [5.] Contin. Annal. Baron. Tom. 14. Coll. 234.

England affording us nothing more conſiderable, we will ſee what happened in Foreign Parts this Year; where we ſhall find two very great Perſons to have deceaſed, (*viz*) [4.] Pope *Clement* the Fifth, who departed this Life at *Roquemaure* upon the *Rhoſne*, as he was returning to his Native Countrey, to take the Air for his Health. He was a high ſpirited Prelate, and of great Parts, and it was He [5.] that compiled the Seventh Book of the *Decretals*, commonly called the *Clementines*, tho' they were confirm'd and publiſhed by his Succeſſor: He alſo promoted the Study of *Greek* and *Hebrew*; for by a Decree in the late Council of *Vienne*, he appointed Profeſſors to teach thoſe Languages in the Univerſities, which were then underſtood by very few; He alſo ordained thoſe Rules or Laws that are obſerved in the *Conclave* to this day, for the Election of a Pope: But theſe Rules were then made to little purpoſe; for immediately after his Deceaſe, the Cardinals met, and were ſhut up in the *Conclave* according to Cuſtom, where not agreeing upon their Choice, but quarrelling among themſelves, whether they ſhould chuſe a *Frenchman* or an *Italian*; at laſt their Attendants growing weary of their delay, ſet fire to ſome old Buildings that were near the Place where the *Conclave* was held, which at laſt took the Room it ſelf, wherein the Cardinals were; but inſtead of frightning them into an Agreement, they all run away, and diſperſed themſelves into divers places, and not meeting again, the Papal Chair continued vacant for above two Years.

[1.] *Mezeray ad hunc Annum.* The Death of King *Philip* the *Fair* and Character.

The [1] other was *Philip*, ſirnamed the *Fair*, King of *France*, who died the Twenty fourth of *November*, at *Fountainbleau*, in the Twenty ninth Year of his Age: He was one of the handſomeſt and moſt accompliſhed Princes of his Time; Ingenuous, Couragious and Magnificent; yet ſo covetous of Money, that He exercis'd all ſorts of Oppreſſions upon his Subjects to raiſe it; and was ſevere even to Cruelty, and rather vindicative than merciful. This is *Mezeray*'s Character of Him; and I have been the more particular in it, becauſe this Prince by his Daughter *Iſabella*, Queen of *England*, was the Grandfather of King *Edward* the Third, and from whom that Prince afterwards laid Claim to the Crown of *France*. But to return to our Relation; *Lewis*, ſirnamed

Hutin (who was alſo in Right of his Mother, King of *Navarre*) ſucceeded the late King his Father, and reigned but a ſhort time.

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This Year the [2.] King kept his *Chriſtmas* at *Clipſton* in *Sherwood* Foreſt, where he beſtowed many *Newyear's-Gifts* among His Courtiers; but ſtay'd not long there, and returned to more ſerious Affairs: * For fifteen days after St. *Hillary* (or the Eight and twentieth of *January*) as appears by the Parliament Roll, the King held a Parliament at *Lincoln*, where at the firſt opening of it, he deferr'd the declaring the Buſineſs of the Parliament, becauſe *Thomas* Earl of *Lancaſter* and other Great Men were not as yet come, according to whoſe Advice He intended to proceed; But on *Wedneſday* next after the day of their meeting, the Chancellor, Treaſurer and Juſtices of both Benches were enjoin'd to bring in Briefs of ſuch Matters as depended before them in their ſeveral Places, and which out of Parliament could not be determined, that in this Seſſion they might do in ſuch caſes what ought to be done.

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[2] *T. W.*

* Rot. Parl. 9 *Ed* 2 n. 1.

A Parliament called at *Lincoln* to repreſs the Violence, of the *Scots*.

On * the Twelfth of *February*, being *Thurſday*, the Earl of *Lancaſter* and other Great Men being preſent, the Cauſe of calling the Parliament was declared, being for their Advice and Aſſiſtance againſt the King's Enemies, the *Scots*, who had poſſeſs'd themſelves of the greateſt part of that Kingdom, and renounced their Allegiance to the King, who then enjoin'd the Prelates, Noblemen and Other his Liege Subjects there preſent, to adviſe and aſſiſt Him therein: * Upon this it was agreed, That the Prelates, Peers and Others ſhould meet on the morrow, being *Friday*, to treat of Parliament-Buſineſs; accordingly they met that day, and diſcourſed of many things; and it was then agreed, and alſo commanded by the King, That they ſhould meet the next day to treat of the ſame Matter; where they reſolved, That the late Edict or Statute about the Prices of Oxen, Cows, Sheep, and other Victuals, ſet the laſt Parliament, ſhould be revoked, and that they ſhould be ſold as formerly, at as reaſonable Rates as they could be afforded: For which *Walſingham* hath given us a very good Reaſon; becauſe after that Statute, they grew much dearer: and ſays, That it could not be otherwiſe; for the Dearth that had began the Year before, ſtill continued, the Autumnal Rains having fallen ſo prodigiouſly, that no Grain could ripen, and ſuch as there was, could not be got in, by reaſon of the continual Wetneſs of the Seaſon, till the beginning of *September*; and it was ſtill ſo moiſt, that they were fain to dry it on Kilns before it could be ground. But to return to the Affairs of this Parliament, from the Rolls:

* Ib.

* Ib.

The late *Ordinance* concerning the price of Victuals repeal'd.

* On *Tueſday* following, the King, by the Biſhop of *Norwich*, promiſed to obſerve all the *Ordinances* formerly made by the Prelates and Great Men; and alſo the *Perambulations* of the *Foreſt*, made in his Father's time; *Saving to the King his Reaſons againſt them*; and thereof Writs were made accordingly.

* Rot. Parl. Ib.

The *Ordinances* formerly made are promis'd to be obſerv'd.

On * the *Friday* after, the Great Men and *Community* of the Kingdom, granted to the King, in aid of his War with *Scotland*, out of every Town in the Kingdom, one ſtout Footman, except Cities and Burghs, and the King's Demeaſns; and theſe Footmen were to be armed and furniſhed with Swords, Bows, Arrows, Slings, Lances, and other Armour fit for Footmen, at the charge of the Towns, and their

* Ib.

The Number of Men appointed to be found by each Town againſt the *Scots*.

Expences to be paid, until they came at the Place of Rendezvous, and their Wages for ſixty days after, and no longer, if the King's Service required it, at Four Pence the day; and Market Towns that were able to be farther charged with Men, were ſo to be charged; the King promiſing to give his Letters to the Great Men and *Community* of the Kingdom, and to their Heirs, That this Grant ſhould be no Preſident, nor drawn into Example for the future.

The whole *Militia* of *England* are alſo ſummon'd for this purpoſe.

The ſame day the King, by Advice of the Prelates and Great Men, ordered the whole Service due to Him, (*i. e.* all the *Militia* of *England*) to be ſummon'd for this Cauſe, to be at *New-caſtle* upon *Tine*, fifteen days after *Midſummer*.

* Ib. The Commons grant the King a *Fifteenth* of their Goods.

Then * the Knights, Citizens and Burgeſſes, granted the King, as an Aid for this War and Expedition, a *Fifteenth* part of all their Moveable Goods, as alſo from thoſe of the King's *Demeſns*, which they had at *Michaelmas* then laſt paſt.

* Ib. The Bp. of *Norwich* on the King's behalf aſſures the Earl of *Lancaſter* and the other Great Men of his Good Will towards them.

* On *Shrove-Tueſday*, the Biſhop of *Norwich* on behalf of the King moved in Parliament, That the Earl of *Lancaſter* would diſmiſs all Suſpicions he might have concerning him, for that He had a ſincere Good Will towards him, and all the other Great Men, and held them to be his Faithful Leige-men; and farther told him, The King deſired to have him the Chief of his Council; requeſting him, on behalf of the King's Prelates and Great Men there preſent, to take upon him to aſſiſt and adviſe in the Affairs of the King and Kingdom: Thereupon the Earl thanked the King, and humbly requeſted time to deliberate, and then make anſwer; which he did in a very ſhort time, and was ſworn of the King's Council in the Form following:

* Ib. n. 4. The Earl of *Lancaſter* is ſworn of the King's Council, with the Form and Conſtitution of it.

'* Whereas our Lord King *Edward*, by the Grace of God King of '*England*, hath with the Prelates, Earls and Barons of the Land, in full 'Parliament, requeſted his Dear Couſin, the Lord *Thomas*, Earl of *Lan*'*caſter*, That he would be Chief of his Council in all great and weighty 'Affairs, touching Himſelf and His Realm; together with other Pre'lates, Earls and Barons, who ſhall, between the King and him, take care, 'that it may be for the Profit of the King and the Realm; the ſaid 'Earl, for the great Love he hath for his Lord the King, and for the 'Common Profit of the Kingdom, and the *Ordinances*, which He had 'entirely granted to obſerve, and the right Laws to maintain in all 'Points, and in hopes to make Amendments in ſuch things as had been 'ill done in his Court, and the Eſtate of his Realm, did grant to be of 'the King's Council, with the Prelates, Earls and Barons; ſo as at 'any time, if the King ſhall not do according to his Directions, and thoſe 'of His Council, concerning the Matters of His Court and Kingdom, 'after ſuch things have been ſhown Him, and that He will not be di'rected by the Council of him, and others, the Earl without Evil Will, 'Challenge, or Diſcontent may be diſcharged from the Council; and 'that the Buſineſs of the Realm concerning Him, ſhall not be done, or 'perform'd without the Aſſent of him and the other Prelates, Earls and 'Barons, which ſhall be ordain'd or appointed to adviſe Him; and if 'any of the Prelates, Earls and Barons, ſhall adviſe the King, or do other 'thing, which ſhall not be for the profit of Him and His Realm, then 'at the next Parliament, by the Advice of the King and His Friends, 'they ſhall be removed; and ſo it ſhall be from Parliament to Parlia'ment, as to them, and every of them, according to the Faults found 'in them. In Witneſs whereof, this Bill was to be enter'd on the Parliament Roll. Then follows a *Memorandum*; That the aforeſaid Bill, containing the Form above-written, was delivered to *William Ayremin*, Clerk, by the Hands of the Lord *Walter* of *Norwich*, and *Bartholomew de Badleſmer*, commanding the ſaid *William*, by Order of the King, to enrol it Word for Word.

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It appears farther, by the * Rolls of *Scotland*, that over the Army which was to be raiſed this Summer againſt the *Scots*, the Earl of *Lancaſter* was appointed General, as alſo the King's Lieutenant in *Scotland*; tho' Dr. *Brady* ſays, That he cannot find by any Record or Hiſtory, that an Army was then ſent againſt the *Scots*; yet had he conſulted the * Chronicle of *Lanercoſt*, he might there have found under this Year, that the Earl of *Lancaſter*, at the King's Command, marched againſt them with an Army as far as *New-caſtle*; but that the King not following him with the reſt of the Forces (as had been agreed) the Earl preſently returned home without acting any thing further; for indeed neither of them truſted each other; and it is very probable the Earl was jealous, leſt the King ſhould take this Opportunity of his abſence, to do ſomewhat prejudicial to his Intereſt, or to revoke the late *Ordinances* which ſtill continued in force.

* Rot. Scot. 9 *Ed.* 2. m. 6.
The Earl of *Lancaſter* appointed General againſt the *Scots*, but did little, with the reaſon of it.

* In Bib. Cot.
The Earl of *Lancaſter* marches againſt the *Scots*, and returns without doing any thing, and why.

* Tho' perhaps it might be only the great Scarcity of Proviſions that hinder'd this Expedition; for *Walſingham* tells us, That about the Feaſt of *Eaſter*, the Lords and Great Men of the Kingdom met at *London*, to treat of the Affairs thereof, when, during this Parliament, the Scarcity ſo encreaſed, that before *Midſummer* a Quarter of Wheat was ſold for above 30 *s*. and by the midddle of *Auguſt* for 40 *s*. ſo that the Noblemen were forced to diminiſh their Families, and many of thoſe Servants that were diſmiſſed away, turn'd Thieves and Robbers; and this Famine produced ſo great a Mortality, by reaſon of the ſcarcity And badneſs of Victuals, that the Living ſcarce ſuffic'd to bury the Dead. and certainly it was the moſt miſerable time that ever this Nation ſaw, if what our Author relates be true, That Parents often eat their own Children, or ſtole away thoſe of others, and the very Malefactors eat one another in the Priſons; and if the King had not iſſued out a Prohibition, that no more Corn ſhould be turn'd into Malt, moſt part of the People would have died of Hunger.

* *Ad hunc An.*
The great Scarcity of Proviſion this Year follow'd by a cruel Famine.

As for the *Scots*, under [1.] the Conduct of their King, they about *Midſummer* invaded *England*, as they had done before; and entring *Yorkſhire*, waſted the whole Country as far as *Richmond*; but the Gentlemen of the Country being retired into the Caſtle of that Place, compounded with the *Scots* for a ſum of Money, to ſpare burning the Town, or doing any farther miſchief in thoſe Parts; having receiv'd the Money, they turn'd another way, waſted and burnt the reſt of *Yorkſhire*, towards the Weſt, for about 60 Miles, carrying away many of the Inhabitants; which cauſed ſuch a Scarcity, that a Quarter of Wheat was ſold in the North Parts for 40 *s*.

[1.] Chron. Lan.
The *Scots* with their King again invade *England*, and march as far as *Richmond*, ſpoiling all that Countrey, which cauſes a great Scarcity.

After [2.] this Expedition, King *Robert* paſſed over into *Ireland*, to aſſiſt his Brother, the Lord *Edward Bruce*, who had invaded that Kingdom, and met with ſuch unexpected ſucceſs, that he had now taken the Title of King of *Ireland*, and had by the aſſiſtance of the *Iriſh*, made himſelf Maſter of moſt part of *Vlſter* and *Lemſter*, except ſome ſtrong Caſtles and walled Towns near the Sea, which they could not take;

[2.] Id Ib.
King *Robert* paſſes over into *Ireland*, to aſſiſt his Brother, who had now taken upon him the Title of King thereof.

* the

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* *Annal. Hibern.*

*the chiefeſt of which was *Dublin*, which being new fortified by the Mayor and Citizens, the *Scots* durſt not beſiege, but approaching near it, turn'd back to *Leyſlip*, which they burnt, and then march'd to the *Naas*, and plundering it, went back into the *North*; ſo that I do not find King *Robert* perform'd any great matter in *Ireland* this Summer, but return'd home about *Whitſontide* the next Year, before the Battel between his Brother *Edward* and the *Engliſh*.

[3.] Id ib. The *Pope* ſends a *Bull* into *England*, enjoining a Truce or Peace with the *Scots*.

[4.] Id. ib.

This [3.] Year the Pope ſent a *Bull* into *England*, enjoining the King to make a Truce or Peace with the *Scots*, which was joyfully received here; but the *Scots* were ſo much encouraged by the Civil Diſſentions between the King and the Earl of *Lancaſter*, that they refuſed to obey it, and ſo incurr'd the Sentence of *Excommunication* from the Pope, which they ſeem'd not to regard. As for other Eccleſiaſtical Affairs; [4.] This Year deceaſed *William de Greenfeild*, Archbiſhop of *York*, and was ſucceeded by *Walter de Merton*, a Man of a ſtrict and Religious Life, but recommended by the King. On the ſixth of *September*, about Noon, there was a great *Eclipſe* of the Sun.

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[5.] *T. W.*

The Wife of the Earl of *Lancaſter* elopes from him with an Adulterer, who laid claim to her.

The [5.] King again kept his *Chriſtmas* at *Clipſton* in *Sherwood*, as he had done the Year before; and I ſuppoſe the reaſon was, becauſe there was greater plenty of Proviſions in thoſe Parts than elſewhere; yet before *Eaſter* He remov'd to *Clarendon*, and there kept that Feſtival; after which I can find nothing worth noting, till the latter end of *May*, or the beginning of *June*, when the Wife of *Thomas* Earl of *Lancaſter*, only Daughter of the late Earl of *Lincoln*, was carry'd away from her Houſe at *Canford* in *Dorſetſhire*, by a certain deform'd and crooked Knight, called Sir *Richard* of St. *Martyn*, a Retainer to the Earl of *Surrey*, who was certainly privy to, if not a Promoter of the Fact, ſince this St. *Martyn*, with his Accomplices, brought the Lady to the Caſtle of *Rygate*, then belonging to that Earl; and the King himſelf was thought to be too favourable to this wicked Action, or elſe ſo deſpicable a Fellow never durſt to have preſum'd, not only to have done ſuch an Injury to the Greateſt Man in *England* next Himſelf and his Children, but alſo to lay claim in the King's Court to the Earldoms of *Lincoln* and *Salisbury*, upon Pretence of a Pre-Contract with this Diſſolute Counteſs; of whom he ſaid, he had alſo Carnal Knowledge, as ſhe her ſelf was not aſham'd to own; which Proceſs, though it came to nothing, yet was ſo much to the Earl's Diſhonour and Vexation, that it is no wonder if he never forgave thoſe that had a hand in it: And therefore Dr. *Brady* hath not done well to omit this Remarkable Tranſaction, ſince it ſhews us the true cauſe why this high-ſpirited Earl was now again ſo incenſed againſt the King, that he could not come any more to any Parliament or Council this Year upon his Summons.

[1.] Id. ib. A Woman fantaſtically attired, rides into the Great Hall at *Weſtminſter*, and delivers a Paper to the King, with the Contents of it.

And [1.] becauſe we have now no great Matters of moment, I will here inſert another Relation from the ſame Author, ſince it ſerves to ſhew us the Spirit and Humour of the Time: The King keeping the Feaſt of *Pentecoſt* in the Great Hall of *Weſtminſter*, and being at Dinner with the Great Men of His Kingdom, a certain Woman fantaſtically attir'd and diſguis'd like a Comedian, came into the Hall on Horſeback, and riding about the Tables, had the Confidence to mount the Steps to that where the King ſat, where flinging down a Letter or Paper before Him, ſhe preſently departed; the King immediately cauſed it to be opened and read, being to this effect; *Our Lord the King may take notice, that He hath not kindly regarded thoſe Knights who ſerved his Father and Himſelf* *with their Lives and Fortunes; but hath too much enriched Others, who never perform'd any thing conſiderable:* Which when the King heard, He was very much incenſed, and thoſe who guarded the Door, were ſharply rebuked for letting her in; they excuſed themſelves, alledging it not to be the faſhion of the King's Houſe at Feſtival Times to keep out any who came diſguiſed in that manner, ſince they thought they only came to make the King Sport: But ſearch being made for this Woman, ſhe was found, and examined who ſet her on, whereupon ſhe confeſs'd, a Knight gave her Money to do as ſhe did; ſome time after the Knight was found, and upon examination boldly confeſs'd, he did it for the King's Honour, and to no other end, and ſo eſcaped without any farther queſtion, and the Woman her ſelf was diſcharged; the Matter being too true. But let us now proceed to things of greater moment.

[2] Id. Ib. Many Gentlemen and others of the *North* of *England*, not having wherewithal to ſubſiſt, turn Thieves, and rob the Countrey.

Many [2.] Gentlemen and Commoners of the *North* of *England* had ſome time ſince taken up Arms, and reſiſted the *Scots*, without any help or aſſiſtance from the King, or the Great Men of the Kingdom, yet at laſt theſe very Men, when their Money and Proviſions fail'd, became Thieves, and from being Defenders, became Enemies of the Country, add ſo getting together in great numbers, robbed and ſpoiled the Inhabitants of the *Northern* Parts, of all they had, without any reſiſtance.

The *Pope's* Legats come into *England* to make Peace between that Kingdom and *Scotland*.

In the mean while the Pope had ſent two Cardinals, as his Legates, into *England*, to make Peace between that Kingdom and *Scotland*, and to reconcile the Earl of *Lancaſter* to the King; they alſo brought the Pope's Bulls of Excommunication to be denounced againſt the *Scots*, in caſe they refuſed to agree to a Peace; and one of the firſt things theſe Legates did, after they came over, was to take a Progreſs as far as *Durham*, there to Inſtall Maſter *Lewis de Beaumont*, on whom the Pope had conferr'd that Biſhoprick, and to make void the Election of One that had been choſen by the Monks; but tho' theſe Legates were warn'd, that they ſhould ſtay in *Yorkſhire*, and not proceed farther without a Guard from the King, becauſe of the great number of Robbers that then infeſted thoſe Parts, yet the Cardinals relying upon their Legantine Power, ſlighted this Advice; but when they came near the Town of *Derlington*, in that Biſhoprick, certain Robbers, led by two Gentlemen, *Gilbert de Middleton*, and *Walter de Selbey*, fell ſuddenly upon the Train of the Cardinals and Biſhop Elect, but to their Perſons, they did no violence, only took away all their Horſes and ready Money, and Apparel; and tho' the Cardinals had ſometime after their Horſes and Furniture ſent them back, yet they never obtain'd a full Reſtitution of what they had loſt; however, the King afterwards made them more than ample ſatisfaction for their Damage; but in the mean time, [3.] the Cardinals went on to *Durham*, where they ſtaid ſome days, expecting an Anſwer from the *Scots*, but when they could receive none, they return'd under the King's Conduct to *York*, where they denounced Sentence of Excommunication againſt all the Thieves and Adherents in *Northumberland*; which Sentence was publiſhed all over *England*. So ſoon as theſe Cardinals returned, the firſt thing they did, was to reconcile the Earl of *Lancaſter* to the King, and a Peace was thereupon made between them upon certain Conditions, and they met, and embraced, and kiſſed each other upon a Plain near *Leiceſter*.

The Legats are robbed in their way to *Durham* of their Horſes and Money, and for which the King makes them ſatisfaction.

[3.] Id. ib.

*Col. 2534. The Legats make a Reconciliation between the King and the Earl of *Lancaſter.*

* *Henry de Knighton* farther relates, (tho', by a Miſtake, under the Year 1318,) That the Cardinals, together with the King and Queen, and the Archbiſhop of *Canterbury*, attended by the reſt of the Biſhops of that Province, as alſo many Earls and Barons, came to *Leiceſter*; from whence, upon the News of the Earl of *Lancaſter*'s approach, they went out to meet him as far as *Syroches Brigge*, which is now called *Soteſbrygge*, where the Earl being with no leſs than Eighteen thouſand Men, met the King, and having ſaluted and kiſſed each other, they were outwardly once more made Friends: And this Author alſo relates, That the Cardinals from thence proceeded on their Journey towards the *North*; which is more likely than *Walſingham*'s Relation, who places their Journey before this Reconciliation.

Another relates it to have been done in a Great Council, but by the Mediation of the Legates.

And I cannot here omit what the Manuſcript Continuator of *Nicholas Trivet* farther tells us, concerning the Peace above mentioned, (tho he alſo falſly places it under *Anno Dom.* 1318; That about the beginning of *Auguſt*, the King held a Colloquy at *Northampton*, with many Noble Perſons of the Kingdom, both of the Clergy and Laiety, where they treated concerning the making a firm and laſting Peace between him and the Earl of *Lancaſter*, in the preſence of the Cardinal Legates, to which Meeting the Queen Her ſelf, who was the Earl's Niece, alſo came in Perſon; by whoſe Interceſſion there was a firm Reconciliation made between the King and the Earl, which was confirmed by many Signs of Friendſhip, and that it was near *Leiceſter* where this Affair was concluded, to the great ſatisfaction of all the Nation: However this Reconciliation did not laſt long, for *Walſingham* ſays,* The King ſoon broke all thoſe Conditions; which might very well be, if what he relates be true; That not long after a certain Knight, who had formerly been of the Earl's Family, was taken near *Pomfret*, with a Blank Charter under the King's Great Seal, as alſo other Letters under the King's Private Signet, directed to the King of *Scots*, offering Him what Conditions He pleaſed, provided He would procure the Death of the Earl of *Lancaſter*; who having made the Meſſenger to confeſs the Fact, cauſed him to be hanged, and his Head ſet on the top of *Pomfret* Caſtle: But the Earl Kept the Letters and Charters by him, as a Teſtimony of the Fact; which being noiſed about **England**, brought off a great many from the King's to the Earl's Party, which was before much weaker.

* *Ad hunc Ann.* The Reconciliation is ſoon broke off, and for what cauſe.

[4.] Id. Ib. Thoſe that robbed the Legats are taken and executed.

I cannot forbear here taking notice of the deſerved End that the late Robbers met with, before the concluſion of this Year; [4.] for *Gilbert de Middleton*, with his Accomplices, having done many great Injuries to the Priory of *Tinemouth*, as well as to ſeveral other neighbouring Places, making it alſo his Trade to ſeize upon the Gentlemen of thoſe Parts, and keep them Priſoners in a certain Caſtle he had, until they would ranſom themſelves for Money; ſome of the Friends of thoſe who were thus taken, being reſolved to ſet them free, came to this *Gilbert* under his ſafe Conduct, and offer'd to ranſom them for a Sum of Money that was to be brought thither, and paid at a day prefixed, which happen'd to be at a time when this *Gilbert*'s Accomplices were gone out to rob; ſo when the Gentlemen came thither, they pretended they had brought the Money, but that it was ſecured in the adjoining Town, for fear it ſhould be taken from them by others; whereupon thoſe in the Caſtle coming out to receive this Money, theſe Gentlemen

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tlemen with their Attendants, being well armed, ruſhed in, and killing thoſe that kept the Gate, eaſily maſter'd all the reſt, and having bound them faſt, they ſent them, and *Gilbert* their Leader, together with a Brother of his, in Fetters to *London*, where he was ſoon after condemned and executed as he deſerved; but as for the reſt of their Comrades, who being abroad, were not then taken, they went to their Conſort, *Walter de Selbey*, who from a ſmall Fortreſs had committed the like Spoils on the adjacent Countries.

We ſhall now ſee what was done abroad in the beginning of this Year, [5.] *Philip* Count of *Poictiers*, and Brother to the King of *France*, cauſed the Cardinals to meet at *Lyons*, where being ſhut up in the *Conclave*, after forty Days delay, and great Diſputes between the *French* and *Italian* Cardinals, which Nation ſhould obtain the *Papacy*, the former at laſt prevailed, and choſe *James Doſſa*, a Cardinal, and Biſhop of *Porto*, *Pope*, which Election was carried but by one Voice, and that his own too; yet He was nevertheleſs admitted, and took the Name of *John* the Two and twentieth; He was but the Son of a poor Cobler of the Province of *Query*, however was very learned for that Age; and it was He, who ſo ſoon as He was ſetled in His new Dignity, ſent the *Legates* above-mention'd into *England*.

[5.] *Mezeray ſub hoc anno.* The Election of Pope *John* XXII.

[1.] About the ſame time *Lewis* the Tenth, King of *France*, commonly called *Hutin*, deceaſed at *Boys de Vincennes*, at the beginning of *June*, being poiſon'd (as it was ſuppoſed); He reign'd little more than a Year and an half, and was not Eight and twenty Years of Age, of whom I find little worth remarking, only, that from his Quarrelſome Temper, he was nicknamed *Hutin*, which in Old *French* ſignifies quarrelſome, or contentious.

[1] Id. ib. The Death of *Lewis* King of *France*.

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This being the Eleventh Year of King *Edward*, [2.] He kept his *Chriſtmas* at *Weſtminſter*, where few of the Great Men were preſent, becauſe there was a great Difference again ariſen between the King and them, they alledging, That He had not obſerved the *Articles* ſo often demanded, and as often promiſed by Him; yet, ſince the Kingdom was then in great danger, by reaſon of the Incurſion of the *Scots*, who had advanc'd as far as *York*, burning and deſtroying the Country without any reſiſtance, there was a neceſſity of applying a ſpeedy Remedy to theſe Grievances.

[2.] *T. W.* New Differences ariſe between the K. and the Barons, and the Occaſion of them.

Wherefore [3.] the Chief Prelates of the Kingdom having prevail'd upon the *Pope's Legates* to join with them, went to the King, and humbly prayed Him, that He would at laſt confirm and duly obſerve thoſe *Articles* which He had ſo often granted for the good of the Church and Kingdom; at laſt the King ſeeming to be touched with the Intreaties of the Cardinals and Prelates, he appointed *Midſummer-day* for the meeting of a Parliament at *Leiceſter*, where He promiſed to give ample Satisfaction to all the Requeſts of the Clergy and Laity; but when the Commons, together with the Lords, appear'd at the Day appointed, the King indeed granted, after his wonted and general manner, that the aforeſaid *Articles* (which, I ſuppoſe, were no other than the *Ordinances* formerly made by the *Lords Ordainers*) ſhould be obſerved; but it ſoon after appear'd, that this Conceſſion was not only frivolous, but wholly fraudulent; however, the Cardinals ſuppoſing they had ſufficiently ſetled this Affair, and having alſo declared the King of *Scots* Excommunicated, and put the whole Kingdom under an Interdict, took their Leaves of

[3.] Id. Ib. The Legats and Prelats pray the King that he would obſerve the *Articles* he had granted; whereupon a Parliament is ſummon'd at *Leiceſter*, where the K. grants the Requeſts of the People after a general manner. The Legates leave the Kingdom.

of the King, and ſo went over into *France*; yet I do not find, that either the *Scotiſh* King, or his Subjects, much regarded this *Excommunication*, or were any thing the more inclinable to Peace.

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[4.] Chron. Lan. *T. W. Ad ann.* 1319, *ſed falſò.* *Berwick* taken by the *Scots*.

* Pol. Virgil. The difference in Authors concerning the manner of it.

For, on the 2d of *April* this [4.] Year, *Berwick* was betray'd to the *Scots* by *Peter Spalding*, then Governor, for a conſiderable Sum of Money, who permitted them to ſcale the Walls in the Night, at a place where he and his Men then kept Guard: Yet *Thomas de la More*, and * other Writers relate, That the Town of *Berwick* was taken by force from the *Engliſh*, by King *Robert Bruce*, who yet uſed his Victory with moderation, killing none that would yield to him; which Contradiction to our Authors cited in the Margin, I know not how to reconcile, unleſs we ſhould ſuppoſe, that *Spalding* was only Governor of the Caſtle which he betray'd, but that the Town was taken ſome time after by force, tho the taking of the Caſtle might be a great help to it: But be it as it will, this is certain, that ſo ſoon as the *Scots* were poſſeſſed of the Town, they turn'd out all the *Engliſh*, having firſt plunder'd them of their Goods; [5.] after which ſucceſs, they marched from thence to the Caſtle of *Weark* and *Harbottle*, which they beſieged and took, for want of being relieved in due time: They alſo ſurprized the Caſtle of *Middeford*, and by that means became Maſters of all *Northumberland*, except *New-caſtle*, and ſome few other ſtrong Places. And in *May* the *Scots* again enter'd *England* farther than ever they had done before, and burning the Towns of *North-Allerton* and *Burrough-brig*, in their March went as far as *Rippon*, which they likewiſe plunder'd of all that was in it, and beſides, made ſeveral of the Inhabitants, who defended themſelves in the Church, to pay a thouſand Marks for not burning them with the Town. Then having ſet fire to *Scarburgh* and *Skipton* in *Craven*, they returned home with a great deal of Plunder, and a conſiderable number of Priſoners, whom they drove like ſo many Sheep before them. So ſoon as King *Edward* receiv'd this Ill News, He put off the Parliament that was ſuddenly to have met, as appears by a * Writ on Record in the *Tower*, reciting, 'That whereas the King had ſummon'd a 'Parliament to meet on the Morrow of *Holy Trinity*, at *Lincoln*, He thereby revok'd it for this Reaſon, Becauſe his Enemies and Rebels the *Scots*, 'had lately invaded *England*, and enter'd *Yorkſhire*, committing 'many Murthers, Plunderings and Devaſtations, beſides burning the 'Country, ſo that He reſolved ſuddenly to march againſt them with an 'Army to reſtrain their Incurſions, and bring them to a due ſubmiſſion: And therefore the Parliament was put off; whereas indeed it ſhould have rather produced the quite contrary Effect: For what fitter Proviſion could be made againſt this Invaſion of the *Scots*, than the Unanimous Advice and Aſſiſtance of the Clergy and Great Men of the Kingdom? Wherefore I rather incline to believe, that the true Reaſon why the King put off this Parliament, was, becauſe he would not grant without any Reſervations, the Great Men's Demands concerning the late *Articles* or *Ordinances*, which He knew they would again inſiſt upon whenever they met; and I alſo doubt whether the Parliament, which *Walſingham* tells us was ſummon'd this Year at *Leiceſter*, was any other than that which the Record mentions to have met at *Lincoln*, but was now put off; and I am the more induced to believe it, becauſe there appears no Writs of Summons upon the Roll, of any Parliament that was to meet at *Leiceſter* this Year; yet however, the King might at a Treaty or Great

Council

[5.] Chron. Lan. Ib. After which they take ſeveral Caſtles in *Northumberland*.

* Rot. Clauſ. 11 *Ed.* 2. m. 8. Dorſ. The King puts off the Parliament, and for what Reaſons.

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Council of the Nobility held at *Leiceſter*, give that Anſwer to their Demands, as I have already mentioned from our Author.

[1.] *T. W.* A Parliament at *London*, wherein every City and Town in *England* are rated at ſo many Men to march againſt the *Scots*, which yet comes to nothing.

But this is more certain, which the ſame Author relates, [1.] That the King held a Parliament at *London*, about *Michaelmas*, in which it was again ordained, That every City and Town of *England*, that was able to do it, ſhould raiſe and find ſo many Men to aſſiſt the King againſt the *Scots*, and the City of *London* maintained Two hundred Men armed at all Points; *Canterbury* Forty, the Town of St. *Alban's* Ten, and ſo conſequently did the other Cities and Towns according to their Rates; and theſe being muſter'd, made a great Army, and might have proved formidable to their Enemies, had they not been mutinous and ill diſciplin'd; ſo that when they came to *York*, this, with other Obſtacles, made them to be diſbanded and ſent home again.

[2.] Id. ib. A terrible Earthquake in *England*.

[3.] Chron. Lan.

Not long after, on the [2.] Fourteenth of *November*, happened the greateſt Earthquake that had been known in *England* in the Memory of Man; inſomuch that it ſtruck the Minds of the Superſtitious People with Panick Fears, [3.] for many Churches and ſtrong Buildings were either ruin'd, or ſorely ſhaken by it.

* *T. W. Annal. Hib.*

But to make ſome amends for ſo much Ill Fortune, the *Engliſh* obtain'd a ſignal Victory over the *Scots* this Year in *Ireland*, *where the Lord *Edward Bruce* having in this, as alſo the laſt Year, fought againſt the *Engliſh* with ſuch ſucceſs, that he had cauſed himſelf to be crowned King of *Ireland*; he was ſo elated with it, that he thought himſelf ſtrong enough with about Six thouſand of his Countrymen, and as many *Iriſh*, that joined them, to give Battel to the *Engliſh*, under the conduct of the Lord *John Bermingham*, and the Lord Primate of *Armagh*, with other Barons, who fought with the *Scots* and *Iriſh* about four Miles North of *Dundalk*; the Fight was for a while very ſharp, but at laſt the *Scots* were routed, and their Titular King, with about Twenty nine Baronets, beſides Two thouſand Common Soldiers, ſlain on the Place. His Dead Body being found among the Slain, was cut into four Quarters, which were ſent to *Dublin* and three other chief Towns of *Ireland* in the *Engliſh* poſſeſſion; but his Head was by the Lord *Bermingham* carried over into *England*, and preſented to the King, who for this Service conferr'd the Earldom of *Louthe* upon him and his Heirs Male: This Victory was obtain'd on the Fourteenth Day of *October*, and indeed is the only one that was gain'd againſt the *Scots* in all this King's Reign.

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[4.] T. W. While the King raiſes an Army, the *Scots* invade *England*.

The [4.] King kept his *Chriſtmas* at *Beverly* in *Yorkſhire*, with many Noblemen and Prelates, when being highly concern'd for the loſs of *Berwick*, He provided Himſelf of a numerous Army to march againſt the *Scots*, that He might free *England* from their Incurſions, as alſo to recover that conſiderable Place out of their Hands; but whilſt He was muſtering His Army, and marching thither to lay ſiege to it, the *Scots* in the mean time rais'd another of about Twenty thouſand Men, and enter'd *England* on the other ſide, hoping to have ſurprized and taken the Queen at *York*, where She then remain'd during the King's Abſence, (for it ſeems the City was to have been ſold to the *Scots* by ſome *Engliſh* Traytors); but the Queen having had timely notice of the Deſign, fled from thence to a ſafer Place; upon which the *Scots* being enraged at this Diſappointment, fell upon the Country, and deſtroyed it with Fire and Sword.

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[5.] Id. Ib. The King beſieges *Berwick*, but is forced to raiſe the Siege, and for what cauſe.

In [5] the mean while (as our Author Relates) the King beſieged *Berwick*, and when it was very near being taken, He according to His uſual Inconſiderateneſs openly ſaid; *We will make the Lord* Hugh Spencer *Governor of the Caſtle, and the Lord* Roger Tamery *Captain of the Town, if we take it:* Which when the Earl of *Lancaſter* heard, he was ſo incenſed at it, that looking upon thoſe two Lords as his Enemies, he preſently withdrew himſelf from the Siege, with divers others of his Party, for which he was called a Traytor by the whole Army, ſince if he had not thus gone away, the Town and Caſtle might have been ſurrender'd into the King's Hands. And if this Relation be true, as the King's unadviſed Declaration is no ways to be commended, ſo the Earl is much more to be blamed, who would thus prefer his own private Piques before the good of his Country: Yet ſince I find this Story in no other Author but *Walſingham*, and that the Earl of *Lancaſter* was, not long after, in as great Reputation as ever, I believe this to be taken up from ſome lying Tradition or Report: For the Chronicle of *Lanercoſt* (whoſe Credit I moſtly rely upon in theſe Northern Affairs) relates it otherwiſe; That the King and the Earl of *Lancaſter* being now outwardly reconcil'd, entred *Scotland* with their Forces about the middle of *Auguſt*, and having beſieged *Berwick*, the *Engliſh* at the firſt Aſſault mounted the Walls, and had they been timely ſeconded, might have taken the Town; whereupon the *Scots* taking freſh Courage, new fortified the Works, and burnt a certain Engine called a *Sow*, which the *Engliſh* had brought to cover the Aſſailants, whilſt they undermined the Walls; whereby the Siege being protracted, the *Scots* thought beſt to act by way of Diverſion, and the Earl of *Murrey*, and the Lords *Randolf* and *Douglas* entring *England* by another way, deſtroyed the Country, carrying away their Plunder and Priſoners as far as *Burroughbrig*.

[1.] Chron. Lan.
T. W.
The AB^{p}. of *York* raiſes an Army of raw Soldiers, who are ſoon routed by the *Scots*, and many ſlain.

[1.] Then the *Yorkſhire* Men being reſolved to put a ſtop to theſe Depredations, under the Command of *William de Melton*, AB^{p}. of *York*, raiſed an Army of about Ten thouſand Men, a great many of whom were Prieſts or Fryars, with which they marched againſt the *Scots*, who lay then encamped at *Mitton*, near the River *Swale*, about twelve Miles from *York*, exerciſing their wonted Depredations, and having a well armed and diſciplin'd Army, upon the approach of the *Engliſh*, preſently ſet upon them, who, being only raw Men, and half armed, without any ſkilful Commanders, were eaſily routed, and about Three thouſand of them were there ſlain; beſides a great part of thoſe that fled, being driven into the River *Swale*, were drowned. This unfortunate Fight happened on the Twenty firſt of *September*.

[2.] Id. Ib.
The King raiſes the Siege of *Berwick*, and thinking to meet with the *Scots*, is diſappointed.

[2] When the News of the Defeat came to the King's Ears, He preſently raiſed the Siege of *Berwick*, and made haſt with all his Army to meet the *Scots* before they ſhould get into their own Country; but they having notice by their Scouts, or Spies, of the King's Deſigns, took another Courſe, and returned home with much Cattel, and other Plunder: Nor were they ſatisfied with this, [3.] but about *All-Hollandtide* they again entred *England* with another Army, under the Conduct of the Lord *James Douglas*, and waſted all *Gilleſland*, burning the very Corn in the Barns, and this they did as far as *Burough* under *Stanmore*; then returning home by *Weſtmorland* and *Cumberland*, did the like in both thoſe Counties.

[3.] Chron. Lan.
The *Scots* again invade *England*, and do much miſchief.

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Wherefore [4.] the King, finding the Damages and Miſchiefs done by the *Scots* daily to increaſe, did by the common Advice of his Barons, make a Truce with his Enemies for a time, which they willingly accepted of; for they were now ſo enriched with the Plunder of *England*, that the Country would ſcarce afford any more.

[4.] *T. W.* The King makes a Truce with the *Scots*.

[5.] When the King was return'd into the South Parts of *England*, He thought fit to call a Great Council at *Northampton*, on the Firſt of *Auguſt*, where the Biſhops, Earls and Barons being aſſembled, were very ſenſible of the ill ſucceſs of His Majeſty's Affairs, which they imputed to his late unadviſed Actings, without the Advice of the Earl of *Lancaſter*; (wherefore, as appears on * Record) they agreed to ſend ſome of each Order, whoſe Names immediately follow, to diſcourſe and treat with Him about the Honour and Welfare of the King and Realm; and it was then agreed between Him and thoſe Commiſſioners that were ſent to Him, That a ſtanding Council of certain Biſhops, Earls and Barons ſhould conſtantly remain with the King, to adviſe Him in all Matters of Publick Concern, until the next Parliament; concerning which and other Matters, an Inſtrument was drawn up between the ſaid Earl and thoſe Commiſſioners, which is thus tranſlated from the *French* Original.

[5.] Contin. Nic. Trivet. The King calls a Great Council at *Northampton*, where 'tis agreed to ſend Commiſſioners to treat with the Earl of *Lancaſter*; with the Effects of that Treaty.

*Rot Clauſ. 12 Ed. 2. m 22. Dorſ. printed in Dr. *B*'s Ap. n.61. and in *Ryley*'s Placit. Parl. f 56.

'This *Indenture* Witneſſeth, That the Honourable Father, the Archbiſhop of *Dublin*, the Biſhops of *Ely*, *Norwich* and *Chicheſter*; the Earls of *Pembroke* and *Arundel*; the * Lords *Roger de Mortimer*, *John Somery*, *Bartholomew de Badleſmere*, *Ralph Baſſet*, and *John Botecourt*, by the Will and Aſſent of the King, have diſcourſed and agreed with the Earl of *Lancaſter* concerning certain Things, touching the Profit of Himſelf and the Realm, in the Form following: To wit, *That the Biſhops* of Norwich, Chicheſter, Ely, Saliſbury, *St.* David'*s*, Carliſle, Hereford *and* Worceſter; *the Earls of* Pembroke, Richmond, Hereford *and* Arundel; *Sir* Hugh de Courtney, *Sir* Roger de Mortimer, *Sir* John de Segrave, *Sir* John de Grey, *and one of the Bannerets of the Earl of* Lancaſter, *which he ſhould name, ſhall remain with the King for one Quarter of a Year, or until the next Parliament; and that two Biſhops, one Earl, one Baron, and one Banneret of the Earl of* Lancaſter'*s, at leaſt, ſhould always be with Him, and that all conſiderable Matters, that might, or ought to be done out of Parliament, ſhould be done by their Aſſent, otherwiſe to be void and amended in Parliament, by the Award of the Peers; and ſuch as ſhould remain with the King Quarterly, ſhould be choſen and aſſigned out of them, and Others in Parliament, to Act and Adviſe the King, as aforeſaid; and the above named Prelates, Earls and Barons, by the Will and Aſſent of the King, undertook that He ſhould Releaſe and Acquit the Earl of* Lancaſter, *his People, or Retinue, and thoſe of his Party, of all manner of Felonies and Treſpaſſes againſt the Peace, until the Day of St.* James *this Year; and that the Charters of Releaſe and Acquittance ſhould be plain and abſolute without Condition; and if better Security for them might be found at the next Parliament, they ſhould have it there confirm'd by the King and his* Baronage. *And the Earl of* Lancaſter *Granted, that he would make Releaſes and Acquittances to all thoſe that on behalf of the King ſhould demand them, for any Treſpaſſes done to His Perſon, as ſoon as the Things aforeſaid ſhould be confirmed; nor that He would bring Suit of Felony againſt any one, from the time they had His Letters; ſaving to Him all Plaints, Actions and Suits which He had againſt the*

* In the *French* there is Monſieur before every one of their Names, which I have alter'd to Lord.

the Earl of Warren, *and all thoſe that were Aſſenting and Aiding to the* * *Felonies and Treſpaſſes which the ſaid Earl had done to Him againſt the King's Peace.*

* i. e. In carrying away his Wife

'*And that the ſaid* Ordinances *ſhould be kept and obſerv'd, as they are under the King's Great Seal; and that theſe Things aboveſaid ſhould be perform'd and kept in all Points, the ſaid Honourable Fathers in God the Archbiſhops of* Canterbury *and* Dublin; *the Biſhops of* Norwich, Ely, Chicheſter, Saliſbury, Cheſter, (*or* Litchfield) Hereford *and* Worceſter; *the Earl* Marſhal, Edmund *his Brother*; *the Earls of* Richmond, Hereford, Ulſter, Arundel *and* Anegos; *Sir* Roger de Mortimer, *Sir* John de Somery, *Sir* John de Haſtings, *Sir* John de Segrave, *Sir* Henry de Beaumont, *Sir* Hugh le Diſpenſer *the Son*, *Sir* John de Grey, *Sir* Richard de Grey, *Sir* Bartholomew de Badleſmere, *Sir* Robert de Mohant, *Sir* Ralph Baſſet, *and Sir* Walter de Norwich *have undertaken by the Will and Aſſent of the King. In Witneſs whereof the Prelates, Earls and Barons aforeſaid have put their Seals to one part of this Indenture, and the Earl of* Lancaſter *hath put his Seal to the other. Written at* * Leek, *the Ninth Day of* Auguſt, *in the Twelfth Year of King* Edward.

* This is a Town in *Staffordſhire*, which then belonged to the Earl of *Lancaſter*.

After this *Indenture*, in the ſame Record, there is an Account what was done in the ſucceeding Parliament, in perſuance of what was ordered in this Great Council.

[1.] Contin. Nic. Trivet. Another Reconciliation patch'd up between the K. and Earl of *Lancaſter*.

* Rot. Clauſ. 12 Ed. 2. m. 28. Dorſ.

But before I ſpeak any thing of that, I ſhall make an end with the reſt of the Proceedings of this preſent Aſſembly, [1.] in which I find (tho' this Record doth not expreſly mention it) that there was another Reconciliation again patch'd up between the King and the Earl of *Lancaſter*; and it was there alſo *Ordain'd*, That a Parliament ſhould not long after meet at *York*, three Weeks after *Michaelmas*, (as appears by the * Writs of Summons;) which being met accordingly, the Proceedings of it are particularly ſet down in that above cited Record; and the *Indenture* above-mention'd to have been made between the Earl of *Lancaſter*, and the Lords Commiſſioners that were ſent to him, was read in the preſence of all aſſembled in that Parliament; and all things in it being maturely conſidered, the Prelates, Earls and Barons agreed, 'To Pray and Requeſt the King, for the Honour of Himſelf, and the Profit of Him and the Realm, That for the great Affairs that concern'd Him, and which does happen from day to day, would pleaſe to aſſent, That two Biſhops, one Earl, one Baron or Banneret of the Family of the Earl of *Lancaſter*, ſhould in his Name and for Him, be preſent and remain with the King in their Turns, according to the four Quarters of the Year, to deliberate with, and adviſe Him in due manner, and that they might deliberate and adviſe about all conſiderable Matters out of Parliament, until a Parliament ſhould otherwiſe determine concerning them; ſo as none of theſe things ſhould be debated, without the Counſel and Aſſent of the Prelates, Earls and Others, who were to remain with the King, according to the Term of the ſaid *Indenture*; and if any thing was done otherwiſe, it ſhould be void.

A Parliament called, and what was done in it.

'The King underſtanding this Requeſt, and deſiring to be Adviſed, by all means which may or ought to make moſt for the Honour and Profit of Him and His Realm; and conſidering that when He receiv'd the Government, He found *Scotland* in Rebellion againſt Him; and ſince that there had been War in *Ireland*, with many other Diſturbances

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‘bances that had happen'd in His Dominions, for which He thought it neceſſary to have conſtantly the beſt and moſt ſufficient Council, He therefore agreed to have the ſaid Prelates, Earls and Barons to adviſe Him in the Form aforeſaid; yet ſo as his Miniſters ſhould always perform their Offices according to the Law and Uſage of the Kingdom.

‘And whereas it was contain'd in the ſaid *Indenture*, That the Prelates, Earls and Barons there named had undertaken by the Aſſent of the King, that He ſhould make to the Earl of *Lancaſter*, His People, or Party and Followers, Releaſes and Acquittances of all manner of Felonies and Treſpaſſes againſt His Peace, until St. *James*'s Day this Year: and that the Charters of Releaſe and Acquittances ſhould be Abſolute without Condition, and if better Security could be found for them in the next Parliament, they ſhould have it, and alſo confirmed by the King and His Baronage.

‘The King by Aſſent of the Prelates, Earls and Barons, and Commonalty of His Realm in His ſaid Parliament, granted a Pardon to the Earl of *Lancaſter* and his Followers, of the Suit of His Peace, and whatever belonged to him, by reaſon thereof, of all manner of Felonies and Treſpaſſes committed againſt the Peace unto the Seventh Day of *Auguſt* laſt paſt, and a Pardon of Outlawry to thoſe that ſhould demand it, if any had been pronounced againſt them, before the making of their Charters; and commanded the Biſhop of *Ely*, then His Chancellor, That he ſhould make Charters under His Great Seal, abſolute and without Condition, for the Earl of *Lancaſter*, and ſuch as He ſhould by His Letters name to the Chancellor.

‘Alſo, whereas in the ſame *Indenture* it was contain'd, That the *Ordinances* ſhould be holden and kept as they had paſſed the Great Seal, the King now willed and granted, That they ſhould be ſo obſerved, and that all theſe things ſhould be entred upon the Parliament Roll, and ſent to the *Chancery* to be enrolled there, and from thence to both Benches, to be likewiſe enrolled in them.

I find nothing elſe worth noting tranſacted in this Parliament, only it appears by the * Sentence that was paſs'd three Years after againſt the two *Deſpenſers*, that *Hugh* the Son was then appointed by the Lords to be Chamberlain to the King, and though *De la More is miſtaken in the Year in which it was done (placing it *Anno Dom.* 1313, near four Years agone) yet he might be right enough as to the Reaſon, why the Lords made him ſo; for he ſays, That *Hugh* was made *Chamberlain* by the Conſent of the Prelates and Others, becauſe they knew the King hated him, yet that he by Prudence and Obſequiouſneſs ſoon changed His Mind, and gained His Affection, upon which they proſecuted him with the greater Hatred: And then he proceeds to give a Character of this Nobleman, as well as his Father; which I ſhall defer until you find them both become extremely Odious to the Nation, which was within a ſhort time after.

* Rot. Clauſ. 15 *Ed.* 2. m 14. Dorſ.

Hugh Spencer the Son now made the King's Chamberlain.

* *Ad hunc An.*

As for Eccleſiaſtical Affairs, the [2.] King this Year holding a Parliament preſently after *Eaſter*, required a Subſidy of the Clergy towards a War againſt the *Scots*, who had then entred *England*, but the Prelates refus'd to grant Him any without the *Pope*'s Leave; to obtain which, they ſent Maſter *Adam Murymouth* Clerk to *Rome* (the Author of the Chronicle ſo often cited) to procure it, though at the King's own Charge,

[2.] Chron. *Ad. Mur.*

The King obtains the Pope's Licenſe that the Clergy might grant Him a Tenth.

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Charge; and the *Pope* gave Him a *Licenſe* for the Clergy to grant the King a *Tenth* for One Year, to begin at *Midſummer* laſt paſt.

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[3.] *T. W.*

* *Polychron ad hunc Annum.*

A Young Fellow takes upon him to be true Son to the late King *Edward.*

And is executed for it.

This Year [3.] the King kept His *Chriſtmas* at *Wincheſter*, with a great many Knights, Eſquires, and other Courtiers, but it affords little worth our noting, only that a certain poor Young Man * of *Exeter*, (whom *Higden* calls a Writer or Clerk, and others call *John Deydras*, a Tanner's Son) came to *Oxford*, and had the Impudence, or rather Madneſs, to declare himſelf to be the true Son of the late King *Edward*, and that he had been changed at Nurſe for the Son of a certain *Carter*, who was the King now reigning; whereupon the Citizens of *Oxford* ſeized the Fellow, though he had taken Sanctuary in the Church of the *Carmelite*-Fryars there; and when he would not, neither by fair Means nor foul, deny what he had ſaid, he was ſent to the King (being then at *Northampton*) and there he was condemned to be hanged, and was executed accordingly between that Town and *Kenelworth*, as a Terror to all ſuch Impudent Impoſtors for the future. The Author laſt mentioned makes him to have been prompted to do this by the Inſtigation of an Evil Spirit in the Shape of a Cat, which promiſed him that he ſhould be King of *England*; but I rather believe him to have been really mad (at leaſt as to this) or elſe he would never have thrown away his Life for ſo Great a Piece of Folly.

[4] Id. Ib.

The *Scots* invade *England*, and march as far as *York*, and take the Earl of *Bretaigne* Priſoner.

* K. *Edward* goes over into *France*, to do his Homage to the new King.

Not [4.] long after, when the King was at *York*, the *Scots* broke the late Truce they had entred into, and invaded *England* again on the ſudden; and marching as far as the Suburbs of that City, burnt them, and in their Return took the Lord *John* of *Bretaigne*, Earl of *Richmond*, and ſeveral other Perſons of Quality Priſoners, whom they made to pay grievous Ranſoms before they were diſcharged.

* Alſo this Summer, towards the end of the Month of *June*, King *Edward* went over to *Amiens*, to meet the New King of *France*, who having received Homage from the King of *England*, reſtor'd to Him the Earldom of *Ponthieu*, which He had before ſeized on for the Non-performance of that Duty.

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[5.] The Barons are highly diſcontented againſt the two *Hugh le Diſpencers.*

The King [5.] being return'd from *France*, kept his *Chriſtmas* at *London* with great Solemnity and Pomp, but could not, for all that, long be quiet; for many of the Earls and Barons of the Kingdom began ſoon after to be as highly diſcontented at the two *Hugh le Diſpencers*, Father and Son (who were become now the King's moſt intimate Counſellors) but they were moſt incenſed againſt the Son, for he had puff'd himſelf up to a greater Inſolence than the former Favourite, inſomuch that he would not permit any of the Noblemen of the Kingdom to diſcourſe with the King, unleſs he were by, and heard what was ſaid, and often would preſume to return an Anſwer for Him, which ſhew'd the Eaſineſs as well as Weakneſs of this Poor Prince. But to ſay ſomewhat farther of theſe Two Favourites from *Sir *Thomas De la More*, above cited, who, ſpeaking of the Two *Diſpencers*, reports, That the Father was a Man of Integrity, wiſe in Counſel, and valiant in Arms, whoſe Confuſion and Ignominious End was cauſed by his Inordinate Love towards his Son, who was a Perſon of a Brave Mien, but of a Haughty and Proud Spirit, as well as a Wicked Life, cauſing by his Ambition and Covetouſneſs many Widows and Orphans to be diſinherited, and Noblemen to be put to death; by which he haſtened his Own and his Father's

* *Ad An.* 1213.

An Account of them from Sir *Thomas de la More.*

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ther's Deſtruction: It was therefore no great wonder that a Man of ſuch a Character ſhould be generally hated; but it was not long before divers of the Earls and Barons of the Kingdom took up Arms, and began a War againſt him and his Father upon this Occaſion.

Divers Earls and Barons take up Arms againſt them. [1.] *T. W.*

[1.] *William de Braioſe*, a Baron in the *Marches* of *Wales*,* and a Spend-thrift, propounded to ſell part of his Eſtate, called *Gowerland*, that deſcended to him by Inheritance, to ſeveral Lords; the Earl of *Hereford*, becauſe it lay near his Lands, firſt agreed with him for it; and the Two *Roger Mortimers*, becauſe it was adjoining to their Eſtates, thought it convenient for them, and knowing nothing of his former Bargain, agreed with him alſo for the ſame Land, whilſt the Lord *John Mowbray*, who had married his only Daughter and Heir, thought himſelf ſure of it by Inheritance: But in ſhort, this Land was held of the King *in Capite*, and ſo could not be ſold without the King's Licenſe; but lying neareſt to the Lands of *Hugh Deſpenſer* the Son, His then *Chamberlain* and *Favourite*, he eaſily obtained His Licenſe to purchaſe it, and then bought it of the Owner. This ſo provoked theſe Barons, and eſpecially the Earl of *Hereford*, that he complained of the Injury done him, to *Thomas* Earl of *Lancaſter*, and they Two engaging a great number of the Barons in their Intereſts, entred into a Confederacy to live and die for Juſtice, and the deſtruction of Traytors, intending thereby the two *Le Deſpenſers*, Father and Son, who now govern'd the King ſo abſolutely, that no Biſhop nor Lord could do any thing at Court without their Favour and Conſent.

And the Occaſion of it.

The Earls of *Lancaſter* and *Hereford*, with other Barons, enter into a Confederacy to deſtroy the Two *Spencers*.

In perſuance of this, the Earl of *Hereford*, with the Barons there named, *viz.* the [2.] Lords *Roger de Mortimer*, the Nephew and the Uncle; the Lords *Roger Damory*, *John de Mowbray*, *Hugh de Audeley*, the Father and the Son, *Roger de Clifford*, *John Giffard de Brimmesfield*, *Maurice de Berkeley*, *Henry de Teys*, *John Maltravers*, with ſeveral Others of that Confederacy, on the Feaſt of the Invention of the *Holy Croſs* (or Third of *May*) entred into the Lands of *Hugh* the Younger, in *Wales* (whilſt he was with the King doing his Office as *Chamberlain*) by Force of Arms, killed ſome of his Servants and Tenants, Others they kept in Priſon, and ſome they ſuffer'd to be ranſom'd; they alſo burnt, pulled down, and deſtroy'd or defac'd all his Houſes and Caſtles, and took and carry'd away Goods of all ſorts whatſoever they found, either on his Lands, or in his Houſes and Caſtles, which amounted to a very great value; from thence they rambled up and down the Countrey, and went into *Glouceſterſhire*, *Wiltſhire*, *Hampſhire*, and all Countries where *Hugh* the Father had any Lands, and begun their Work on *Barnaby Day* (or Eleventh of *June*) at his Manor of *Faſtern* in *Wiltſhire*; and in all his other Lands, Houſes and Caſtles, wherever they came they behaved themſelves juſt as they had done to thoſe of his Son.

[2.] In the *French* Monſieur, ſo before all the reſt of their Names.

* See the Record of the annullation of the Proceſs againſt the Two *Spencers*. Rot. Clauſ. 15 *Ed* 2. n 14. Dorſ. where all theſe Actions are entred at large.

When they had committed theſe Miſchiefs, they marched to *Sherborn-Caſtle* in *Dorſetſhire*, where they found *Thomas* Earl of *Lancaſter*, the Owner of it; and on *Sunday* after *Midſummer* Day they all entred into a New, and confirmed the Old Confederacy.

The Conſederacy of the Earls and Barons againſt Hugh *aud* Hugh le Deſpenſer.

* *Vid.* The Regiſter of *Chriſt Church Canterbury*, where it is enter'd in *French.*

* *i. e. Angus.*

The Second *Confederacy* of the Barons againſt the Two *Spencers*

‘THis * *Indenture* witneſſeth, That on *Sunday* next after the Feaſt of St. *John Baptiſt*, in the Fourteenth Year of the King, at *Sherborn* at *Elemede*, in the Preſence of the Archbiſhop of *York*, the Biſhops of *Durham* and *Carliſle*, the Earls of *Lancaſter* and * *Ænegos*, it was conſidered, That *Hugh le Deſpenſer*, the Father and the Son, had ill counſelled and moved the King, to the Diſhonour and Damage of Him and of His Kingdom; and having alſo heard and underſtood the Reaſons of the Earl of *Hereford*, *Roger de Mortimer* the Nephew and Uncle, *Hugh de Audeley* the Father and Son, *Roger Dammory*, *John de Mowbray*, *Maurice de Berkley*, *Roger de Clifford*, *Henry de Teys*, *John Giffard*, *Thomas Mauduit*, *Gilbert Talbot*, and Other Great Men of the *Marches* (i. e. of *Wales*); and notice of Information having been given to the Earls of *Lancaſter* and *Ænegos*, Monſieur *Robert de Holland*, *Fauk de Eſtrange*, *Stephen de Segrave*, *William de Latimer*, *John Devery*, *John de Harrington*, *Adam de Snimnington*, *William de Kyme*, *Marmaduke de Tweny*, *Richard Walleys*, *Robert Pierpount*, *Ranulph Dacre*, *Edmund Deyncourt*, *Thomas Willeby*, *William de Penington*, *Ralph de Nevil*, *Giles de Trumpyton*, *John de Beker*, *Adam de Hodeleſton*, *Michael de Haverington*, *Adam de Everingham*, *William Truſſel*, *Robert de Rigate*, *Robert de Richer*, *John de Clifford*, *Henry de Bradbourn*, *Nicholas de Langford*, *John de Brekeworth*, *Thomas Wycher*, *John de Cliff*, *Thomas de Longuevillers*, *Edmund de Neville*, and *Goſlelin Daniel*, That the Earl of *Hereford*, the ſaid *Roger de Mortimer*, and Other Great Men of the *Marches*, and Others above named, had begun Quarrels and Complaints againſt the Lords *Hugh* the Father and Son, and that 'twas done to the Honour of God, and of *Holy Church*, to the Profit of the King, the Queen, and Their Children, and the Safety of the Crown and People: And as the Earl of *Lancaſter* and Other Great Men who had begun the Quarrel, would maintain it, ſo the Earl of *Ænegos*, and All thoſe named after him, will maintain it with all their Power; and whenever the Earl of *Lancaſter* and other Great Men ſhall leave the Quarrel, the Earl of *Ænegos*, and all thoſe named after him, may leave it without being accuſed or queſtioned for it. And to maintain theſe Things, the Earl of *Ænegos*, and all the others after him have put to their Seals. This was the part of the *Indenture* Agreed and Seal'd to by the Earl of *Ænegos*.

[2.] *T. W.*

The Confederate Barons march towards *London*, and demand the Baniſhment of the Two *Spencers*; which is anſwer'd by the King.

Theſe Things being thus concluded, in manner as aforeſaid, the [2] Confederate Barons marched from thence to St. *Albans*, taking Victuals every where in their March, and oppreſſing the Poor; and taking up there their Quarters, they ſent the Biſhops of *London*, *Salisbury*, *Ely*, *Hereford* and *Chicheſter*, as Meſſengers to demand of the King, who was then at *London*, not only to baniſh *Hugh* and *Hugh*, the Two Traytors, from His Court, but alſo out of the Kingdom; to which the King anſwered, That *Hugh* the Father was beyond Sea in His Service, and *Hugh* the Son was at Sea, for the guarding of the *Cinque-Ports*, according to his Duty, and that, according to Right and Cuſtom, they ought not to be baniſhed without anſwering for themſelves: And He

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added further, That the Petitions of the Barons were neither founded upon Juſtice nor Reaſon, becauſe the ſaid *Hughs*, both Father and Son, had been always ready to anſwer all Men that would complain againſt them, according to due Form of Law; and if it could be proved that they had offended againſt any of the Statutes of the Kingdom, they ſhould be ready to ſubmit to a Lawful Tryal; and He concluded, That He was reſolved not to violate His Coronation-Oath, by granting Pardons to Notorious Delinquents againſt His Royal Perſon and Dignity, who had thus diſturbed the Peace of the Kingdom.

[3.] Id. Ib. The Barons not being ſatisfy'd, march up to *London*, and perſiſt in their Demands.

This [3.] Anſwer, though it ſeem'd very fair and reaſonable, yet did but ſo much the more enrage the Angry Barons, who taking up Arms again, came with great Haughtineſs and Military Pomp up to *London*, and took their Quarters in the Suburbs, where they ſtaid very peaceably, till they had obtain'd the King's Leave (who had no Forces to hinder them) to enter the City it ſelf, whilſt the Great Men of that Party ſtill perſiſted in their firſt Demands; but at laſt, by the Interceſſion of the Queen and ſome of the Biſhops, the King was prevail'd with to avoid the hazard of a War, to agree to all the Barons their Petitions; and thereupon a certain *Edict* or *Statute* was ſolemnly read and publiſhed by the Earl of *Hereford* in *Weſtminſter-Hall*, by which *Hugh le Deſpenſer* the Father, as alſo *Hugh* the Son, were both for ever baniſh'd the Kingdom.

This Tranſaction (though our Author does not expreſsly mention it) was made in a Parliament which had been ſummon'd *on the Fifteenth of *May*, to meet at *Weſtminſter* three Weeks after *Whitſontide*, or the Fifteenth of *July*; and it was in order to this, that theſe Lords thus march'd to *London* in a Warlike Manner; and though the King had ſent to forbid them coming thither Arm'd, but in due manner as they ought, according to Law, yet nevertheleſs they did not regard His Prohibitions, nor appear'd at *Weſtminſter*, according to their Summons, but remain'd in *London* in an Armed Poſture, for fifteen days after the Parliament was begun, where they held a Council by themſelves until they had agreed on, and drawn up the Sentence or Judgment againſt the Two *Deſpenſers*; nor did they ever Communicate it to the King, till they came to *Weſtminſter* with Force and Arms, ſo that He was in no ways able to hinder the paſſing of it; which *Sentence* or *Statute* is to this effect, as tranſlated out of the *French* Record.

* Rot. Clauſ. 14 *Ed.* 2. m. 5. dorſ.

The King holds a Parliament at *Weſtminſter*, to which the Confederate Barons refuſe to come, till they had drawn up the Sentence againſt the Two *Spencers*.

The Form of the *Articles* exhibited againſt them.

'To the Honour of God and Holy Church, and of Our Lord the King, for the Profit of Him and His Realm, and to maintain Peace amongſt His People, and the Eſtate of the Crown, the Prelates, Earls, Barons, and other Peers and Commons of the Realm, do ſhew againſt Sir *Hugh Deſpenſer*, Father and Son, That whereas Sir *Hugh* the Son, at the Parliament held at *York*, was appointed to be *Chamberlain* to the King, in which Parliament it was agreed, That certain Prelates and other Great Men ſhould be with the King by turns, at ſeveral Seaſons of the Year, the better to adviſe Him, without whom no Great Buſineſs ought to be done; now the ſaid Sir *Hugh* the Son, drawing to Him his Father, who was not by *Order* of Parliament to be near the King, or to be One of thoſe Counſellors, between them both have uſurped Royal Power over the King and His Miniſters, and the Government of the Kingdom, to the Diſhonour of the King, the Injury of the Crown, and Deſtruction of the Kingdom, Great Men and People, and have done

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'the Wickedneſſes underwritten, in contriving to turn the Heart of the King from the Peers of the Land, that ſo they (the *Deſpenſers*) may have the ſole Government thereof.

'That Sir *Hugh* the Son made a Bill or Writing, whereby he would have had Sir *John Gifford* of *Brimmeſfield*, Sir *Richard de Greye* and Others enter into a Confederacy, to have forced the King to do what he would have him, and had almoſt done it; the Tenor of which Bill is underwritten,

'1. Homage and the Oath of Allegiance is more due by reaſon of the Crown, than of the Perſon of the King, and is more ty'd or fixed to the Crown; than to the Perſon; and this appears, for that before the State of the Crown deſcends, there is no Allegiance due to the Perſon expectant; wherefore if the King does not govern Himſelf by Reaſon, according to * the Right (or Law) of the Crown, His Lieges are then bound by their Oath taken to the Crown, to remove the King, and to take care of the State of the Crown, by a due Adminiſtration; for otherwiſe that Oath could not be obſerved. Now if it be demanded, How the King is to be dealt with, whether by Suit of Law, or by Rigor? not by the former, for no Man can be redreſſed that way, becauſe he can have no Judge, unleſs it be from the King [Himſelf]; in which Caſe, if the King will not be guided according to * Reaſon, He will then be obſtinate in His Error: Wherefore † he ought to keep his Oath, and when the King will not relieve him, but is outragious, and will do that which is Injurious to His People in General, and withal is prejudicial to His Crown, then is it time for them to proceed againſt Him with rigor; for He is bound by His *Oath* to Govern His People and His Lieges; and they are bound to Govern in Aid of Him, in caſe of His Default.

* I ſuppoſe the *Coronation-Oath* is here meant.

* *i. e.* Law.

† *Viz.* The *Subject*.

'2. Alſo upon any Application of the Great Men and People unto Him, the King His Anſwer ſtill was according to the Pleaſure of theſe Two, in turning the King from His Duty againſt His *Oath*, and the Hearts of the Great Men and People againſt their Liege Lord.

'3. Alſo by their Evil Contrivance, they would not ſuffer the Great Men of the Realm, nor Good Counſellors to ſpeak with, or come near the King to Adviſe Him, nor the King to ſpeak with them, unleſs in their preſence, or in the hearing of One of them, and that too but when they pleaſed; thus uſurping Royal Power and Sovereignty over the Perſon of the King, to the great Diſhonour and Peril of Him, the Crown and Kingdom.

'4. Alſo, to attain their Wickedneſs, Covetouſneſs, and to the diſinheriting of the Great Men, and the Deſtruction of the People, they had put out Good and Agreeable Miniſters who had been placed by Aſſent, and put in Others Falſe and Wicked, that were of their own Party, who would not ſuffer Right to be done; as Sheriffs, Eſcheators, Conſtables of Caſtles, and make thoſe Juſtices, who underſtood not the Law; as Sir *Hugh* the Father, Sir *Ralph Baſſet*, Sir *Ralph Camois*, and Sir *John Inge*, and divers Others their Friends, who cauſed by Falſe Jurors of their Alliance, the Peers of the Land to be indicted; as the Earl of *Hereford*, * My Lord *Gifford* of *Brimmeſfield*, my Lord *Robert de Monthalt*, and Other good people to get their Lands from them.

* Monſieur in the *Record* before is inſtead of Lord before theſe Names.

6.'Alſo

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‘5. Alſo they falſly and maliciouſly adviſed the King to raiſe Arms againſt his People, in *Gloceſterſhire*, contrary to the Great Charter, and the Award of the Peers of the Land; and by their falſe and evil Counſel, would have made War in the Land, for their own proper Quarrel, to the Deſtruction of Holy Church, and the People.

‘6. Alſo, whereas the Earl of *Hereford*, and the Lord of * *Wigmore*, by the King's Command, were aſſigned to make War upon *Lleuelyn Bren*, who had levyed War againſt Him in *Glamorganſhire*; when the Earl of *Gloceſter's* Lands, by reaſon of his Death, were in the King's Hands; and *Lleuelyn* had render'd himſelf into the Lord's Hands, to the King's Grace and Pleaſure: And upon that condition deliver'd him to the King, who received him accordingly. But when theſe Lords were out of the Country, theſe two Sir *Hughs*, the Father and Son, uſurping Royal Power, took *Lheuelyn*, and carried him to *Cardiff*: After which, Sir *Hugh* the younger * being ſeized thereof, and pretending to a Juriſdiction where none was in this Caſe, there cauſed the ſaid *Lleuelyn* to be drawn, hang'd, beheaded, and quartered, feloniouſly for things done in the time of King *Henry*; and they alſo took upon them Royal Power and Juriſdiction, which was appendant to the Crown, in Diſheriſon thereof, and to the Diſhonour of the King, the ſaid Lords of *Hereford* and *Mortimer*, and in ill Example and great Peril in the like Caſe for time to come,

* i. e. *Roger Mortimer.*

* Note he had theſe Lands as his Share of the late Earl of *Gloceſter's* Eſtate; whoſe Second Siſter he had married.

‘7. Alſo they ill Adviſed the King, to take into his Hands the Lands and Goods of Sir *Hugh Audley* the Son, who was fore-judged without due Proceſs, contrary to the Law of the Land, by the Covetouſneſs of the ſaid *Hugh* to get ſome of thoſe Lands; and by other falſe Compaſſments, contrived to get the Lands of Sir *Roger Dammory*, having attainted him upon his entering into *Gloceſterſhire*, to the Diſheritance of the Peers of the Land.

‘8. Alſo, that whereas the King had granted by his Letters-Patents to the Earl of *Warwick*, in full Parliament at *Weſtminſter*, that after his death, his Executors ſhould have his Lands, until his Heir was of full Age; which Grant, after the Earl's death, was confirmed by the King at *Lincoln*, at the Requeſt and Aſſent of the Peers of the Land in Parliament: Yet the ſaid Sir *Hugh* the Father, procured his Son to cauſe the King to repeal this Grant, without cauſe; and to give the Guardianſhip of the ſaid Lands to the ſaid *Hugh* the Father, for his own Profit: And alſo had defeated by evil Counſel, what the King had granted in his Parliaments, by good Advice, and by Aſſent of the Peers of the Land; to the Diſhonour of the King, and againſt Right and Reaſon.

‘9. Alſo that they would not ſuffer the King to take reaſonable Fines of the Peers of the Land, and others, when they entered upon, and received their Fees, as it had been uſed before that time: But by Covetouſneſs, to obtain ſuch Lands by the Royal * Power, they had cauſed undue Impeachments to be brought, ſurmiſing the Land to be forfeited, as were thoſe of Sir *John de Mowbray* and others, to the Damage and Diſhonour of the King, and contrary to the Law of the Land, in Diſheritance of the Great Men and others: Alſo making the King do againſt his Oath in Parliament.

* *i. e.* Prerogative.

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‘10. Alſo by wicked Covetouſneſs, and encroaching of Power-Royal, they would not ſuffer the King to hear or do Right to the Great Men, upon what they preſented to Him, on behalf of Himſelf and themſelves; touching the Diſheriting the Crown and them, concerning the Lands which were the *Templars*: Alſo by Uſurped Power-Royal they governed the King, his Council, and Prelates; that in Matters concerning them and their Friends, or which they undertook, no Right could be obtained, but according to their Pleaſures, to the Damage and Diſhonour of the King, the Peril of his Oath, and Disheritance and Deſtruction of the People of his Realm.

‘11. Alſo Biſhops, Abbots, and Priors Elect, who ought to be received of the King, when duly elected, could not come near him, nor ſpeak with him to obtain his Favour, until they had agreed and made Fine with Sir *Hugh* the Son, according to his Pleaſure; nor thoſe that had any Grant to ask of the King, could obtain it, before they had made their Agreement or Fine with him.

The Sentence of the Peers in Parliament, againſt the two *le Diſpenſers.*

‘Which Wickedneſſes are Notorious and True, as it is found by the Examination of the Earls, Barons, and other Peers of the Land; *Wherefore we the Peers of the Land, Earls and Barons, in the preſence of our Lord the King, do award, That* Hugh le Diſpenſer *the Son, and* Hugh le Diſpenſer *the Father, ſhall be diſherited for ever, as Diſheritors of the Crown, and Enemies to the King and his People; and ſhall be Baniſhed the Kingdom of* England, *never to return again, unleſs it be by the Aſſent of the King, and by Aſſent of the Prelates, Earls and Barons in Parliament duly ſummoned*; and to avoid the Realm between the time of the Date of this Statute, and the Feaſt of the Decollation of St. *John Baptiſt* (or Nine and Twentieth of *Auguſt*) next coming; and if found in *England* after the Day, or if they return after that Day, then to be dealt with as Enemies of the King and Kingdom. This, in the * Printed Copy of Old Statutes, is called the Baniſhment of *Hugh Diſpenſer*, Father and Son; Yet you muſt take notice, that theſe Articles were admitted and taken for granted, without any direct Proof, as the manner then was to proceeed in Parliament.

* *Vid. Totel's* Collection, *Pars Secunda, Fol.* 50. *& deinde ad fol.* 54.

The Earls and Barons obtain an Act of Indemnity for what they had done.

Then the Earls and Barons above-mentioned, being now the ſtronger Party, did not think themſelves ſafe, until they had alſo procured an Act of *Indemnity* for themſelves and all thoſe their Adherents, who had a hand in the late Diſturbances; which is enter'd in the * ſame Book, under this Title, *Ne quis occaſionetur pro feloniis ſeu tranſgreſſ. factis in proſecutione Hugonis le Diſpenſer Patris & Filii*; *i. e.* That no man ſhould be moleſted for the Proſecution of *Hugh le Diſpenſer* the Father and the Son. The Statute is to this effect:

* *Ibid. fol.* 54. *ad* 55. b.

‘That ſince lately many Great Men of the Kingdom had accuſed Sir *Hugh le Diſpenſer* the Son, and Sir *Hugh le Diſpenſer* the Father, of divers Crimes committed by them againſt their Lord the King, and his Crown; and to the Diſinheritance of many of the Great Men, and Deſtruction of the People; and that they could not be proſecuted and attainted for their ſaid Offences by Proceſs of Law; ſince the two *Diſpenſers* uſurp'd Royal Power in divers manners, and had the King and his Miniſters and the Direction of the Law at their Diſcretion, or in their Power; therefore the Great Men of the Land, had made a Confederacy, by Oath, by Writing, and other manner, 'without the King's leave; and then They and Others, with Horſe and Arms, had marched againſt them, and took and ſeized divers Caſtles, Towns, Manors, Lands, Tenements, Goods and Chattels of the King's Liege-Subjects; and ſome of them they took and impriſoned, others they ranſom'd, and ſome they kill'd, and did many other things, in deſtroying the ſaid *Hugh* and *Hugh*, and their Allies and others in *England*, *Wales*, and the *Marches*: Of which ſome may be called *Felonies*; which things having been ſo done by neceſſity, ought not to be taken notice of, nor puniſhed by Law; nor can be without great Trouble or Hazard of War. The Great Men pray the King, for Peace ſake, for the aſſwaging of Anger and Rancour, and making Unity in the Land; and that He may more entirely have the Hearts and Good-Will of his People, to defend his own Countries, and offend his Enemies; that it might be accorded, and aſſented to in full Parliament, by the King, Prelates, Earls, Barons, and *Commons*; that no Great Men of the Realm, Prelate, Earl, Baron, Knight, Clerk, or Eſquire, for the Confederacy made by Oath, Writing, or in other manner; or for riding with the King's or other Banners diſplay'd; nor for the taking or detaining of any Caſtles, Towns, Manors, Lands, Tenements, Goods or Chattels; the Seizing, Impriſoning, and Ranſoming the King's Liege-People; or for Killing of Men, and other Robberies, Felonies, or other things done againſt the King's Peace, which may be judged Treſpaſſes or Felonies; from the Beginning of the World to that Day: And all People of what Condition ſoever they were, for the Treſpaſſes and Felonies aforeſaid, committed ſince *Candlemas* laſt paſt, to that Day, ſhould not be impeached, grieved, or moleſted at the Suit of the King, or any other. But of all ſuch things, by this Statute and Accord, ſhould be quit for ever; Saving to every one, except the ſaid *Hugh* and *Hugh* their Right to demand, and recover their Frank-Tenement and their Right; without Puniſhment from the King, or giving Damages to the Party. And alſo that it may be granted by the King in the ſaid Parliament, That if any Earl, Baron, or any Great Men, for themſelves or others, whom they ſhall name to the Chancellor, between this and St. *Michael* next coming, will have the King's Pardon for Suit or Proceſs of the Peace, or what pertains to him, of all manner of Felonies and Treſpaſſes done contrary to the Peace; or of any Diſobediences, Contempts, Conſpiracies, Confederations, Privy Covenants, and Obligations made againſt the King, ſhall have their ſeveral Charters of Pardon, under the Great Seal, without paying *any* Fees in the Chancery: And that all ſuch Writings to the contrary, where ever found, ſhall be Null and Void.

After which * follows the Form of the Charter of Pardon, that was taken out by the Earl of *Hereford* and the reſt of the Barons and Great Men, who had been Confederates in this Violent Undertaking. It bears Date at *Weſtminſter* the Twentieth of *Auguſt* in the Fifteenth Year of his Reign.

* *Ibid Fol.* 55. b. 56.

The Form of Pardon that was paſſed on behalf of the E. of *Hereford*, and the reſt of The Barons.

When [2.] they had obtain'd theſe Charters, and whatſoever elſe they could deſire, they for the preſent returned home; Yet upon better conſideration, were not very well ſatisfied with what they had done; for fearing they had provoked the King beyond any Reconciliation, they ſtill went abroad well Armed, and never truſted themſelves but

[2.] *T. W.*

The Barons being fearful of themſelves, go abroad Armed.

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[3.] Chron. *A. M.* Of the two *Spencers*, the elder continued abroad, but the younger turned Pirate.

in ſecure Places; which are the uſual Conſequences of unjuſt and violent Actions. But not long after, there happened an Accident taht prov'd of fatal Conſequence to the Baron's Party, and gave the King a fit opportunity to recall the *Diſpenſers*; [3.] the Elder of whom continued ſtill abroad, but the Younger lay for ſome time conceal'd in *England*; yet afterwards went to Sea, and turn'd Pyrate; Robbing whatever *Engliſh* Merchants he could meet with.

[4] T. W. The Queen being ſhut out of the Caſtle of *Leeds*, complains to the King.

[5] T. W.

Who thereupon raiſes Forces and takes the Caſtle, and hangs the Governor of it.

But to come to the Matter in hand: [4.] Queen *Iſabel* had hitherto promoted Peace and Concord between the King and the Barons; whoſe chief Quarrel being againſt his Favourites, it was very Natural for Her (who did not love thoſe that had more power with Her Huſband than Her ſelf) to favour thoſe that were moſt able to oppoſe them: But now there fell out an Occaſion that ſet Her quite againſt the Barons, and was indeed the chief Cauſe of the Ruin and Deſtruction of a great many of them. For it happened, that the Queen, in Her Progreſs towards *Canterbury*, intended to lodge at the Caſtle of *Leeds* in *Kent*; of which *Bartholomew de Badleſmere*, a Rich and Potent Baron, had been made Conſtable or Governor in the Eleventh Year of the King: Tho' our [5.] Hiſtorian ſays, that having been long his *Steward*, he had now got it ſetled upon him and his Heirs, in exchange for other Lands; in which he had placed his Wiſe and Children, with a great deal of Treaſure, under a Guard: But whilſt he, forſaking the Faith of his Lord the King, adhered to the Barons, the Queen's Marſhal came thither, to provide Lodgings for Her Self and Family; but was denied Entrance, with a ſawcy Return from the Guard within, That they would not ſuffer the Queen, nor any other to enter there, without the Command or Letter from their Lord. Upon this, the Queen came in Perſon, and demanded Entrance into the Caſtle: But She was denied, and forced to ſeek for Lodgings elſewhere. When She return'd to the King, and complain'd to Him of this Affront, He was very angry; and having drawn together ſome Thouſands of Armed Men, with many *Londoners*, came perſonally to the Caſtle, commanding the Gariſon to ſurrender: But they refuſing to obey the King's Command, He ſtraitly beſieged them. Whereupon they held out ſo long as they had any Victuals; and when they could ſubſiſt no longer, they delivered up the Caſtle; and *Thomas Colepeper*, the Governor of it, was ſometime after drawn and hang'd for his Rebellion againſt Him; all the Women that were found there were ſent to the Tower of *London*, and ſeveral of the Warders put to death.

[1.] *Tho. de la Moor* Chron. ad Mur. Divers of the Barons come with their men and relieve the Caſtle.

[1.] Other Authors further add, That during the Siege of this Caſtle, divers of the Barons with their Forces came to *Kingſton* upon *Thames*, on the Vigil of St. *Simon* and *Jude*, or Seven and Twentieth of *October*, in hopes to relieve it: From whence they ſent the Archbiſhop of *Canterbury*, the Biſhop of *London*, and Earl of *Pembroke* to the King, to deſire Him to raiſe the Siege; promiſing Him, after the next Parliament, to deliver the Caſtle into his Hands. But He not granting their Deſires, they marched into other Parts of the Kingdom, and the Caſtle in a very ſhort time after was ſurrender'd, as hath been already ſaid. For indeed it was ſo notorious a piece of Rebellion, that the Barons could not find very many to take their Parts, ſo that they were forced to go to their own Homes; where ſtanding upon their

Guard, the King marched with a great Army into the *Marches* of *Wales*, where many of them held out againſt Him.

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In the mean while, about the Tenth of *December*, the Archbiſhop called a Provincial *Synod* at *London*, where few of the Biſhops and Clergy appeared, by reaſon of the Turbuſency of the Times, and preſent Heat of Civil War; then *Hugh le Deſpencer* the Younger, being a little before return'd into *England* applied himſelf to the King, for the Repeal of his Exile, but His Majeſty, for the better colour of the Buſineſs, committed him to Priſon; however, *at the ſame time He ſent his Petition to the Archbiſhop of *Canterbury*, and the Other Biſhops and Clergy, then met in the ſaid *Synod* at *London*, to adviſe about, and give Him their Senſe upon it, who judged the late *Sentence* or *Award*, as to the *Exile* and *Diſinheritance* Erroneous, againſt Right, and obtain'd by Force, without their, (*viz.* the Biſhop's) Conſent, as Peers of the Land; and therefore they adviſed and pray'd the King to repeal and make it null for ever; which was accordingly done, and the King thereupon granted *Hugh le Deſpencer* the Younger His Protection and ſafe Conduct for his Perſon and Eſtate, by His *Letters Patents*, dated at *Weſtminſter* the Eighteenth of *December*, in the Fifteenth of His Reign.

* *Vid.* the Record of Revocation *Exilii Hug. Spencer.*
The ABp. and ſome of the Bps. and Clergy in a Synod take upon them to declare the Sentence againſt the *Spencers* null and void, and for what reaſon.
* *Thomas de la More ut ſupra.*
The King grants the Younger *Le Deſpencer* His Protection.

But if the Baniſhment of the *Deſpencers* is to be looked upon as illegal, becauſe done by Force, and without giving them leave to appear, and make any Defence for themſelves, certainly the diſannulling that *Sentence* was much more ſo; For what Authority had the Archbiſhop of *Canterbury*, and a few other Biſhops and Clergymen of his Province, to judge concerning a Statute or Act of Parliament, as the Baniſhment of theſe Noblemen was? And therefore how Unlawful ſoever the procurement of it was, yet it ought not to have been repeal'd, but by the ſame way that it was made, *viz.* the Authority of Parliament.

After [2.] the aforeſaid Revocation of the Baniſhment of theſe Two Favourites, the King did little more this Year; but having now got the Younger *Hugh* with Him, He by his Advice, and ſome others of that Party, iſſued out His Writs to all the Sheriffs of *England*, to raiſe the *Militia* of the ſeveral Counties againſt the Barons; for He was reſolved to be revenged of them for their late Rebellion againſt Him at *London*; and they on the other ſide, not to be behind-hand with Him, muſter'd up what Men they could, reſolving to repel Force by Force.

[2.] *T. W.*
The King having the Younger *Spencer* with Him, raiſes the *Militia* againſt the late Confederate Earls and Barons.

In the [3.] mean while, until the King's Forces could be got together, He went with *Hugh Deſpencer* the Younger, to keep His *Chriſtmas* at *Cyreneſter*; and ſo ſoon as the Holidays were over, He marched from thence towards the Borders of *Wales*, where the main ſtrength of the Barons of thoſe Parts then lay, and leaving *Gloceſter* on His Left-hand, which was then held by them, He made a Tour round about by *Worceſter* and thoſe Parts, towards *Shrewsbury*, and ſo to *Bridgenorth*, where He took in that Caſtle, killing ſome, and putting the reſt to flight; and having out law'd them, order'd their Eſtates to be ſeized. From thence He went to *Shrewsbury*, where divers Barons of thoſe Parts being afraid of the King's Power, came in, and ſubmitted themſelves to Him, notwithſtanding their late Oath of Confederacy to the contrary; the Chief of theſe were the Two *Roger de Mortimers*, the Uncle and the Nephew, whoſe deſertion of the Barons extremely weaken'd their Party, as being the moſt powerful Noblemen in all thoſe Parts, and had been the

Anno Dom. MCCCXXII.

[3.] Id. Ib.
The King goes with the Younger *Spencer* to *Cirenceſter*, and there keeps *Chriſtmas*, and then marches againſt the Barons in the Borders of *Wales*.

greateſt Sticklers for the *Common Cauſe*, (as they then call'd it); yet however they were not much the better treated, notwithſtanding their coming in; for the King believing it done meerly through fear, ſent them both Priſoners to the *Tower* of *London*, till He could further reſolve what to do with them. About the ſame time alſo the King took the *Lord Hugh Audeley* the Father, and the Lord *Maurice Berkley* Priſoners, and ſent them to *Wallingford* Caſtle, whilſt Others of the Barons being gain'd over by the King's fair Promiſes, ſurrender'd themſelves, and yet were likewiſe ſent to divers places to be kept in ſafe cuſtody.

The King takes ſeveral of the Barons Priſoners, and ſends them to divers Caſtles.

[4.] Id. Ib. The Earl of *Hereford* and the Lord *Talbot* leave the *Marches* of *Wales*, and go with their Forces towards the *North*, to meet the Earl of *Lancaſter*.

[4.] When the Earl of *Hereford*, and the *Lord Gilbert Talbot* heard this, they left the *Marches* of *Wales*, and went with the Forces they had rais'd, through *Gloceſterſhire*, towards the *North*, to meet the Earl of *Lancaſter*, who expected them, and they found him at *Burton* upon *Trent*. Upon this the King immediately marched after them; but when He approached near that place, the Earl of *Lancaſter* with his Forces ſally'd out, and for three Days ſucceſſively hinder'd the King's paſſage over *Burton-Bridge*, killing many of His Army that endeavour'd to poſſeſs themſelves of that Ford; but at laſt the King's Forces found a Ford above *Burton*, where they got over the *Trent*, and then marched againſt the Barons, who lay with theirs in and about the Town. So ſoon as they heard they had gain'd that Paſs, they left their Quarters, and under the Conduct of the Earl of *Lancaſter*, marched out to meet the King in a Plain without the Town; but when he ſaw his Forces too ſuperior to his Own in Number and Strength, he with his Confederates, and all their Men, retired Northwards, making great Depredations in their Marches; whereupon the King perſued them to *Burrough-bridge*, and there they were ſtopped by *Simon Ward*, Governor of *York*, and Sir *Andrew Harclay*, Governor of *Carliſle*, who came againſt them with the *Militia* of *Yorkſhire* and *Cumberland*; ſo that the Barons not being able to paſs any farther, were there forced to give them Battel, but with very ill ſucceſs, for *Humphry de Bohun*, Earl of *Hereford*, endeavouring to force his way over the Bridge, was unhappily killed, and the Earl of *Lancaſter* not being able to bear the Shock of the Battel, nor to make his eſcape, * was taken by Sir *Andrew Harclay*, together with ſeveral other Barons, Bannerets, and Knights, to the number of Ninety five.

The Earl of *Lancaſter* fearing to encounter the King's Army, retires, and is taken Priſoner, and the Earl of *Hereford* is kill'd.

* *De la More. f.* 596.

* *Ad hunc An.*

* *Henry de Knyghton* from the Chronicle of a Monk of his own Monaſtery, gives us a farther and more perfect Relation of this Battel, and ſays, That the Reaſon why the Earl of *Lancaſter*, with the Barons, went ſo ſuddenly from the King at *Burton*, was, becauſe he found himſelf diſappointed of a ſtrong Reinforcement, which was to have been brought him by Sir *Robert de Holland*, one of the Confederates, but when he heard the Earl was gone towards the *North*, preſently ſurrender'd himſelf to the King, who was then at *Derby*; however, he likewiſe was ſoon ſent Priſoner to *Dover*-Caſtle; and the Earl of *Hereford*, as he was fighting upon the Bridge, received his Death's Wound by a Lance directed through a Chink, by an unknown hand, from under the Bridge, on the Fifteenth of *March*; and as for the Earl of *Lancaſter*, he was not taken in the Fight, (as *Walſingham* Relates) but march'd back into the Town of *Burrough-bridge*, where he had reſpit given him till the next day, and then finding he could do no good, he

ſurrender'd himſelf to Sir *Andrew Harclay*, who immediately ſent him to the King that was then at *York*.

5.] *T W.*

The King cauſes the Earl and his Accomplices to be tried and condemned to be hanged, but he himſelf is reſerved to the K's own Judgment.

So ſoon [5.] as the Earl with his Accomplices were brought thither, the King appointed certain Juſtices to ſit upon them, and then all the Barons, except the Earl of *Lancaſter*, were condemned to be drawn, hang'd, and quarter'd; but the Earl himſelf, out of reverence to his Royal Blood, was reſerved for the King's own Judgment; who coming to *Pontefract*, a few days after, had the ſaid Earl brought, and arraigned before Him in the Hall of that Caſtle, in the preſence of *Edmund* Earl of *Kent*, *John* Earl of *Richmond*, *Adomar de Valence* Earl of *Pembroke*, *John de Waren*, Earl of *Surrey*, *Edmund* Earl of *Arundel*, *David* Earl of *Athol*, *Robert* Earl of *Anegos*, and other Great Men of the Realm, who were then of the King's Council.

It appears by the * Record of this *Proceſs*, and the Sentence which is upon Record too in the *Tower*, that the Chief Crime laid to his charge, was, his taking up Arms againſt the King at *Burton* and *Burrough-bridge*, abovementioned; as alſo for divers Depredations and Robberies which were committed by the ſaid Earl in his Retreat to that Place, until the time of his being taken; which Treaſons, Murthers, Burnings, Depredations and Hoſtile Rebellions with Horſe and Arms, being, (ſays the *Record*) manifeſtly known, and notorious to the Earls, Barons, and other Great Men of the whole Kingdom; it was therefore adjudged, That for the Crimes aforeſaid, the Earl ſhould be drawn, hang'd, and alſo beheaded.

* Rot Pat. 2 *Ed.* 3 p. 1. m. 17.

The *Articles* exhibited againſt the Earl of *Lancaſter*.

And then follows, in the ſame *Record*, a long Recital of certain other Crimes which the ſaid Earl had formerly committed againſt the King, for moſt of which, having already obtain'd the Royal Pardon, I ſhall but briefly mention:

'*Firſt*, His taking the Horſes, Jewels and Arms, with other 'Goods belonging to *Pierce Gaveſton*, and converting them to his own 'Uſe.

'*Secondly*, That after his being pardon'd that Offence, he had come 'to divers Parliaments with many Men, and an Armed Force, and had 'thereby hinder'd the King from holding his Parliaments, as belonged 'to His Crown, or elſe had neglected and contemned His Summons to 'come to divers others, but had held private Meetings or Conventicles 'of his Own elſewhere at the ſame time.

'*Thirdly*, That he (the Earl) had drawn to himſelf divers Male-'factors, and Diſturbers of the Peace, who had committed ſeveral Fe-'lonies and Robberies, and that for receiving them, he himſelf deſerved 'to undergo the ſame Sentence of Death which they had deſerved.

'*Fourthly*, That when the ſaid Earl came to the King's Parliament at '*York*, with a great multitude of Armed Men, he had induced the King 'to pardon all the aforeſaid Malefactors, though the Earl had formerly 'ſworn to obſerve divers *Ordinances*, whereby the King ſhould not par-'don any Proceſs or Suit of the Peace in emergent Caſes concerning 'the Death of a Man.

'*Fifthly*, That though the King, to obtain the Earl's Good Will, 'and bring him to a better Temper, had beſtowed upon him divers 'Grants of Lands and Liberties, beſides other Gifts, Graces, and Par-'dons by His Charters, yet that he had ſtill continued rebellious and 'diſobedient againſt Him.

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‘*Sixthly*, That the ſaid Earl ſent ſome Knights of his Family to the City of *York*, to draw the *Community* of the ſaid City to his Party, and to obtain the Government of it to himſelf, and had there uſurped Royal Power to himſelf in divers manners, and thereby had endeavoured, (as far as in him lay) to diſinherit our Lord the King.

‘*Seventhly*, When the King had been lately at *York*, and commanded divers Great Men and Others of the Kingdom, whoſe Advice H deſired, that they ſhould come thither to Him, to treat concerning His Expedition againſt *Scotland*, the ſaid Earl, being then in his Caſtle of *Pontefract* with a great many Armed Men, ſent divers of them to hinder the Paſſage of ſuch Counſellors over that Bridge, or by any other ways, from attending on the King's Perſon.

‘*Eighthly*, And further, when the King returned from the Countrey about *York*, to paſs towards the *Southern*-Parts, and came with his Family to go over at *Pontefract*, the ſaid Earl and his Servants going out of the Caſtle, moſt baſely called out upon the King with a great Clamour, in Contempt and deſpight of His Royal Perſon and Dignity, as if He had been an Enemy, and not their Sovereign King and Lord.

‘*Ninthly*, Alſo that the ſaid Earl, with the late Earl of *Hereford*, and Other their Fellow Traytors, endeavoured to make a Confederacy with * *Robert Bruce*, *Thomas Randolph*, *James Douglas*, and Other *Scotchmen*, Enemies to the King and Kingdom; the which Confederacy was found in the Form of an *Indenture*, upon the Perſon of the Earl of *Hereford*, when he was killed; which there follows at large, but is to this effect; *viz.* That one *John de Denham*, was to tell *Robert* King of *Scotland*, and the Lord *Thomas Randolph*, Earl of *Murrey*, and the Lord *James Douglas*, on the behalf of the Earls of *Lancaſter* and *Hereford*, and their Allies, That if the King of *Scots* and the ſaid Lords would come with all their Power to the Aſſiſtance of the ſaid Earls, *&c.* at ſuch Time and Place as ſhould be agreed on, and would miſchief or deſtroy thoſe, whom the ſaid Earls would have hurt and deſtroyed, and ſave thoſe whom they would have ſaved, that then the ſaid Earls would live and die with them in maintenance of their Quarrel, ſaving any Claim, Conqueſt or *Seigneury* over *England*, *Wales*, or *Ireland*; and that if the King of *Scots* ſhould be hindered by Sickneſs, or any other Occaſion, ſo that He could not come in His Own Perſon, that then the ſaid Earl of *Murrey*, and the Lord *James*, ſhould perform and do whatſoever they had already aſſured the ſaid Earls and their Allies, and would never march againſt them in Aid of the King of *England*; and whenſoever the ſaid Earls, *&c.* ſhould make an end of their Quarrel, they ſhould uſe their utmoſt endeavour, that a Good Peace be made between the Two Kingdoms of *England* and *Scotland*, and that in the mean time (They) the *Scots*, ſhould hold their ſaid Kingdom as peaceably as (They, *viz.* the *Engliſh*) ſhould do *England*.

**i. e.* The preſent King of *Scots*.

‘And *Laſtly*, It concludes with a recital of what the Fellow Traytors with the ſaid Earl, did in taking and holding the Caſtle and Town of *Gloceſter* with an Army againſt the King's Will; as alſo the Depredations and Murthers done at *Bridgenorth*, until they joined with the ſaid Earl, as their principal Refuge and Captain, who had alſo expreſſed his Treaſon and maintenance of theſe Traytors, in beſieging the

King's Caſtle of *Tickil*, after which the ſaid Earl fled toward the *Scots*, Enemies to the King and Kingdom, till he was taken at *Burrough-bridge*, as aforeſaid: This is the Sum of the *Proceſs*, *Accuſation* and *Sentence* againſt the Earl of *Lancaſter*; then follows the King's Mittigation of it in theſe Words.

‘Wherefore as having reſpect to the Great Crimes and Wickedneſs of the ſaid Earl, and his Great Ingratitude, the King has no cauſe to ſhew him Mercy, as to the pardoning of any of the Puniſhments to which he ſtands now condem'd; yet becauſe the ſaid Earl is deſcended of an Excellent and moſt Noble Lineage, the King for reverence thereof, doth by His Special Grace, remit the execution of two of the Puniſhments already adjudged, as aforeſaid; (to wit) That the ſaid Earl ſhall neither be Drawn, nor Hang'd, but that Execution ſhall be done upon him by Beheading.

The Earl, tho condemned to be hanged, &c. yet becauſe of his Royal Blood, is only beheaded.

And it farther appears by the Concluſion of this *Proceſs*, that it being drawn into Letters Patents, it was inrolled in the *Chancery* at *York*, the Second Day of *May* next enſuing; but how far theſe *Articles* againſt the Earl were true, or what Defence he could have made for himſelf, is uncertain, ſince it is ſeen by the ſame * Roll in which this *Proceſs* is recited, that in the Second Year of King *Edward* the *Third*, the Record of theſe Proceedings being then brought into Parliament, it was revoked and declar'd null and void by the King, Lords, and Great Men, and the whole *Community* of the Kingdom in the ſaid Parliament Aſſembled, for theſe *Reaſons*: *Firſt*, Becauſe the ſaid Earl was condemn'd to death without being arraigned, or making any Anſwer for himſelf. *Secondly*, For that it being a Time of Peace, and the King's Courts then open at the time when he was condemned, and that notwithſtanding he was one of the Peers and Great Lords of the Kingdom, he was adjudged to Death contrary to *Magna Charta*, or the Great Charter of the Liberties of *England*; which ordains, That no Man ſhall be outlawed, baniſhed, or otherwiſe deſtroy'd, neither ſhall the King proceed againſt him, unleſs by the Judgment of his Peers, and the Laws of the Land; all which Things being duly conſidered, and underſtood, the Lord *Henry*, Brother and Heir of the ſaid Earl *Thomas*, was, upon his Petition, reſtor'd in Blood. Witneſs the King at *York*, the Third Day of *March*.

* Ib.

All the Proceſs and Judgment againſt the Earl revoked in Parliament, 2 *Ed.* 3. and the Reaſons for it.

All which, both *Record* and *Proceſs*, were entered on the *Patent Rolls* in the *Tower*, by a Charter of *Inſpeximus* from King *Edward* the *Third*; by which it alſo appears, that the ſaid *Thomas* Earl of *Lancaſter* was adjudged to death before King *Edward* and His Council, at *Pontefract*, by an Erroneous *Proceſs*, for the Reaſons already given. We may alſo farther obſerve from it, That the King Himſelf ſat as a Judge upon him, which was not only Illegal, but derogated very much from His Royal Dignity, as He was His Couſin German. I have been the more particular in this Tranſaction, becauſe Dr. *Brady*, tho he hath given us the whole *Record* and *Proceſs* it ſelf at large in his *Appendix*, yet ſays little or nothing of it in his Hiſtory.

So ſoon as the Earl of *Lancaſter* was thus condemned, [1.] he was led to a Hill or Riſing Ground without the Town of *Pontefract*, where he was beheaded on the Twenty firſt of *March*; however his Body, together with the Head, was buried by the Prior and Monks of that Place, in

[1.] Chron. *Eveſ*.

* *H. K*

The Earl is beheaded at *Pontefract*, and afterwards is by the Common People worſhip'd as a Saint, notwithſtanding all the King could do to hinder it.

A Church afterwards built to his Memory.

* Rot. Rom. 1 *Ed.* 3. n. 15. printed in Dr. *B*'s Appendix, n. 64. Queen *Iſabel* writes to the Pope to juſtifie the Miracles done at his Tomb, and to deſire his Canonization.

* Lib. 7. Chap. 42. *Ran. Higden*'s Opinion of his Saintſhip.

in their Church, on the Right Hand of the High Altar; but not long after he was looked upon as a Saint, by the Common People, who came on Pilgrimage far and near to offer and pray at his Tomb, upon a Report of divers Miracles and Cures given out to be there done, which was no doubt invented by thoſe Monks, to enrich their Monaſtery; but when the King heard of it, He at the motion of the *Deſpenſers*, ſent a Guard to hinder the People from going into the Church to pay their Devotions at his Tomb; yet however, ſo great a Reverence had they for him, when they ſaw themſelves excluded thence, that they went and expreſſed the like Superſtition at the Place where he was beheaded, which, notwithſtanding all that the *Deſpenſers* could do to hinder it, by keeping a Guard upon the Hill, they privately continued, during this King's Reign, and in the beginning of the next. When the Times were changed, there was a handſome Church built upon it, by the procurement, and at the Charge of the Queen Dowager and the Earl of *Lancaſter*, Brother to the Deceaſed; and a Monk of *Pontefract* was appointed to receive and keep the Offerings that were there made, in a Cheſt with three Locks, the Keys whereof were to be kept by the Clerk of the Chappel, the ſaid Monk, and a Burgeſs of the Town of *Pontefract*; nay Queen *Iſabel* Her ſelf ſeem'd ſo well perſwaded of the Reality of theſe Miracles, that in the beginning of Her Son's Reign * She wrote Letters in His Name, as well as Her Own, to the *Pope*, wherein She ſets forth the great Cures that had been done to thoſe that reſorted to this Earl's Tomb, and therefore deſired His Holineſs to grant a *Proceſs* for the Sainting of Him. But I do not find for all this, that the *Pope* could ever be ſo fully perſwaded of the Sanctity of the Perſon, or the Reality of the Miracles, as to canonize him for all them: nay, not only the *Pope*, but many others in *England*, then queſtion'd the Truth of them; for *Ranulph Higden*, a Monk of *Cheſter*, who not long after wrote his * *Polychronicon*, ſays thus; 'Of which Perſon's Miracles (ſpeaking of this Earl) there was much diſpute amongſt the Vulgar, whether he was to be number'd amongſt the Saints, or not; ſome aſſerting he ought, for that he gave much Alms, honoured the Religious, and contended to death, as it ſeems, in a Juſt Quarrel: whilſt others thought the contrary, That a Man who neglected his own Wife, and defiled innumerable Women; that put to death ſuch as did but lightly offend him; that cheriſhed Deſerters of their Orders or Profeſſion, and Tranſgreſſors of the Law; that committed all things to the direction of his Secretary; that at the time of fighting to death for the maintaining of Juſtice, yet baſely fled; ought not to be thought a Saint; eſpecially, when he ſuffer'd unwillingly: But what Iſſue the Offerings now made, and the Appearance or Reſemblance of Miracles celebrated at the place, where he was beheaded, will have for the future, after Ages will ſee.

* Vid. Vol. 2d. p. 1052.

I have no more to obſerve concerning the intended Sainting of this Great Nobleman, but that the People of *England*, when excited by the Monks, have been very prone to count thoſe for Saints, whom they ſuppoſed to have laid down their Lives in defence of the Liberties of the Church and Nations, as appears by the Hymns and Prayers that were addreſs'd to *Simon Montfort* Earl of *Leiceſter*, * mentioned in the Reign of *Henry* the *Third*.

But

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[3.] H. K
The reſt of the Barons taken with the Earl of *Lancaſter* are executed at ſeveral Places, beſides others that died in Priſon.

But to return to the Hiſtory, from which we have ſomewhat digreſſed: As for the reſt of the Barons that were taken Priſoners during this War, [3.] ſome of them, *viz.* the Lords *John Mowbray*, *Roger Clifford*, and *Jocelin Deyvile*, were drawn and hang'd at *York*; and for the greater torment of the Earl, Six of his Principal Knights, to wit, Sir *William de Liſle*, Sir *William Touchet*, Sir *Thomas Maudit*, Sir *Henry de Bradburn*, Sir *William Fitz-Williams*, and Sir *William Cheyney*, together with a Servant of his, were all executed before him at *Pontefract*; and the *Diſpenſers* made them hang upon the Gallows ſome Months before they would permit them to be buried. As for the reſt of them, they were ſent up to be executed in their own Countries (to wit) the Lords *Bartholomew de Badleſmere*, and *Bartholomew de Aſhburnham* at *Canterbury*; with ſeveral others of the ſame degree; who ſuffered death at *London*, *Windſor*, *Briſtol*, *Gloceſter*, &c. to the number of above Seven or Eight, only the Lord *Roger Damory* dyed a Priſoner in *Tuttebury*-Caſtle; and the Lord *Roger de Audeley* having his Life granted him at the Interceſſion of his Wiſe, was kept Priſoner in *Nottingham*-Caſtle, until the Queen's Return out of *France*. So that ſince the Battel of *Eveſham*, there was never ſo great a Havock of the *Engliſh* Barons.

[4.] Scal. Chron. *MS.* in Bib. Ben.
The King's Arbitrary Government after the Death of the Earl of *Lancaſter*.

But theſe were not the only ill Effects of this King's Succeſs over the Barons; [4.] for an Author who liv'd near that time farther obſerves, that after the Return of the *Diſpenſers*, and the death of the Earl of *Lancaſter*, the King looking upon Himſelf as abſolute Lord and Maſter over all in His Kingdom, grew much worſe than ever He had been before; ſlighting the Nobility, and giving Himſelf up to Avarice, by invading other men's Properties, and to as great Luxury in the ſpending of it; ſparing none that had oppoſed him; but made it a pretence to enrich Himſelf by the Forfeiture of their Eſtates. For tho' the two Lords *Mortimers*, the Uncle and the Nephew, had in the Beginning of the late War deſerted the Barons, and ſubmitted themſelves to the King, yet did they not find much better Treatment for all that; * for they being arraigned before the King's Juſtices, were by them condemned to be hanged as Traytors, only their Drawing and Quartering was pardon'd: Yet they at laſt obtain'd the favour to have their Lives ſaved, tho' with the Loſs of their great Eſtate and Liberties: And ſo were committed cloſe Priſoners in the Tower, where the Elder *Mortimer* not long after deceaſed; but in due time you will hear more of his Name-ſake the younger *Mortimer*; And therefore I ſhall now paſs to more Publick Affairs.

The two Lds. *Mortimers* are condemned, tho' they had ſubmitted to the King.
* *Vid.* Proceſſ. in Rot. penes. Remem. Scace.

* Rot. Clauſ. 15 *Ed.* II.
A Parliament ſummoned at *York*, wherein the Proceſs and Judgment of the former Parliament againſt the *Spencers* is revoked.

The King on the Fourteenth of *March*, this Year, being at *Derby*, a little before the late Defeat of the Baron's Army, * iſſued a Summons for a Parliament to be holden at *York*, three Weeks after *Eaſter* next enſuing; which being aſſembled, the firſt thing I find done there, was, that upon the Petitions of the *Hugh Diſpenſers*, Father and Son, the Proceſs and Judgment againſt them for their Diſheritance and Exile, were brought into Parliament; and upon ſhewing divers Errors in them, were revoked and made null: All which Proceſs, and the Statute made thereupon, being ſtill on the Rolls in the Tower, and not any where printed or publiſhed before that I know of, are tranſlated at large by * Dr. *Brady* in his laſt Volume; but being tedious, I thither

* P. 140. ad 145.

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thither refer the curious Reader, who deſires to peruſe them; and ſhall content my ſelf with making a ſhort Abſtract thereof.

An Abſtract of the Statute of Revocation, with a Recital of the Petitions of the two *Spencers*; ſetting forth the Outrages committed againſt them.

'This Statute of Revocation firſt relates to *Hugh* the Son, and begins with a Recital of the Sentence or Award made at a Parliament held three weeks after *Midſummer* laſt paſt, againſt the ſaid *Diſpenſers*, Father and Sons; as alſo a Petition which the Son had ſome time before given to the King; ſhewing, that while he was in His Service, as His Chamberlain, the Lords *Mortimers*, Uncle and Nephew, with divers Barons there named, made a Confederacy by Oath and Writing, to perſue and deſtroy Him: By virtue of which, they with their Retinues, conſiſting of Eight Hundred men at Arms, Five Hundred Hoblers, (or Light-Horſe) and Ten Thouſand Foot, came to *Newport* in *Wales*; and from thence marched forwards to take His Towns and Caſtles; and entering upon his Lands, they killed part of His Tenants or People; ſome of which were Knights, therein named, beſides others of the ſame degree, who were made Priſoners; and they took and carryed away His Goods and Chattels. Then it proceeds to recount every thing in particular; as how much Proviſions of all Sorts, what Horſes, Armor, and other things, were loſt; as alſo how many Oxen, Cows and Sheep (to a vaſt Quantity) they then plunder'd and carry'd away; together with the Loſs of His Charters, Writings, and ready Money; as alſo the Burning his Granges, deſtroying His Crop upon the Ground, ſeizing of His Rents and Debts, and diſparking his Parks; all which Damages (as appear by caſting up the particulars therein mention'd) amount to the Sum of near Twenty Thouſand Pounds.

Ibidem. A Recital of the violent Proceedings of the Barons in the former Parliament at *Weſtminſter*.

'Then it further recites, that they, the ſaid Earls and Barons, with all their Force and Power came to the Parliament at *Weſtminſter*; and there, upon falſe Accuſations, without calling the ſaid *Hugh* to anſwer, againſt all manner of Right and Reaſon, and againſt the Law of the Land, erroneouſly Awarded him to be Diſherited, and Exiled *England*: Wherefore he prays the King, as He is bound by Right of His Crown, and by the Oath He made at His Coronation, to maintain all People in their Rights, that He would pleaſe to cauſe to be brought before Him the Proceſs of the Award made againſt him, that it may be examined; and that the ſaid *Hugh* may be admitted to ſhew the Errors in it; and if there ſhall be any found, He would pleaſe to repeal and redreſs them; with a Proteſtation that he will be hereafter ready to anſwer any Complaint according to Reaſon.

The Errors aſſigned in the ſaid Proceſs and Judgment.

'And then it proceeds to ſhew the Errors of the ſaid Proceſs: As *Firſt*, That the Great Men who perſued and deſtroyed him; prayed Pardon of the King for all thoſe things which might be judged Felonies or Treſpaſſes in that Perſuit, which they made by their own Authority; by which they wrongfully made themſelves Judges of him, where they could not, nor ought to be Judges.

2. 'Alſo Error, in that the ſaid *Hugh* was not call'd into Court, to anſwer where the Award was made; alſo Error, in that the Sentence was given without the Aſſent of the Prelates, who were Peers in Parliament.

3. '*Item*, Error, in that there was no Record of their Perſuit, or the Cauſes contain'd in the Award; alſo Error, in that the Award

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‘was made againſt the Form of the Great Charter; wherein is contain'd, *That no Men ſhall be fore-judged, nor in other manner deſtroy'd; unleſs by Judgment of his Peers, or by the Law of the Land.* Then he requeſts the King to take notice, that the Great Men were Summoned to come duly to the Parliament, yet did not, but came with Horſe and Arms, and all their Force: After which, he the ſaid *Hugh* came in, and ſurrender'd himſelf Priſoner to the King; praying to be received into his Protection, to proſecute his Complaint, and that Right might be done him in theſe Matters: And the King received him as He ought to do; and cauſed his Petition to be carried to the Archbiſhop of *Canterbury*, the Biſhops, and other Prelates and Clergy of the Province of *Canterbury*, then being in a Provincial Council at *London*; charging them by the Faith they owed to Him, to adviſe about the Petition, and let Him know their Thoughts concerning it. And when they had well adviſed thereupon, they anſwered, That it ſeemed to them, that the *Proceſs* and *Award* of the Exile, and Diſinheritance of *Hugh* the Son, and Father, were erroneous, and wrongfully made; wherefore they agreed, and unanimouſly aſſented as Peers of the Land, and prayed as Peers *Spiritual*, that the *Award* which was made wickedly and wrongfully againſt God, and all manner of Right might be by the King repeal'd, and annull'd for ever. And they ſaid further, that they, nor any of them ever aſſented to the ſaid Award: But that every one of them, at the time when the Award was made, did make Proteſtation in Writing, that they could not, nor would aſſent to it for ſeveral Reaſons. And the Earl of *Kent*, the King's Brother, the Earls of *Richmond*, *Pembroke*, and *Arundel*, with the Prelates, being before the King, ſaid, the *Award* was wrongful, and againſt Law and Right; and prayed Him, as the Prelates had done before, to null and make void the *Award*: And the ſaid Earls affirm'd, that for fear of the Force, which the *Great Men* ſuddenly brought to the Parliament, in order to make the Award, which was to them unknown and unexpected, they gave their Aſſent to it, and alſo adviſed the King to ſuffer it to paſs; for which Offence and Miſtake they prayed his Pardon.

A Recital of the Judgment of the Biſhops in this Caſe.

I have been the more particular in the Recital of theſe Proceedings mention'd in this Statute; becauſe they do not only ſerve to confirm what our Hiſtorians have related concerning theſe Matters; but may alſo inform ſuch as are Curious in the Antient Proceedings of Parliament; and what was then looked upon ſufficient to render any Proceſs begun there erroneous. But to proceed.

Ibid.
The Petition of *Hugh Spencer* the Father.

‘Then immediately follows in the ſame Record, a like Petition deliver'd in Parliament by *Hugh le Diſpenſer* the Father, being to the ſame effect with that of his Son's; ſetting forth, That the ſame Great Men before named, and other Adherents and Confederates, with Force and Arms, on the day of St. *Barnaby*, in the Fourteenth Year of the King, came to his Mannor of *Faſtern* in *Wiltſhire*, and Twelve others in that Shire and other Counties, *viz.* Six in the County of *Gloceſter*, Four in *Dorſetſhire*, Five in *Hampſhire*, Two in *Berkſhire*, Six in *Oxfordſhire*, Three in *Buckinghamſhire*, Four in *Surrey*, One in *Cambridgeſhire*, Two in *Huntingtonſhire*, Five in *Leiceſterſhire*, One in *Yorkſhire*, One in *Lincolnſhire*, Five in *Cheſhire*, and

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'Five in *Warwickſhire*; in all Sixty Three Mannors there named; 'which ſhews the vaſt Eſtates the two Lords *Diſpenſers* had in thoſe 'days. But as for the Deſtruction and Havock the Barons made up'on the Lands of *Hugh* the Father, they were much to the ſame effect 'with thoſe that were done to the Son, only greater; as the dri'ving away of Twenty Eight Thouſand Sheep, Twenty Two Thou'ſand Oxen, Heifers and Cows, beſides the ſpoiling of Two Crops, 'one in the Barn, and the other upon the Ground; the taking away 'above Six Hundred Horſes and Mares, beſides a vaſt Quantity of Pro'viſions of all ſorts, and Armor for Two Hundred Men; and the De'ſtruction of his Houſes and Goods to the Value of above Thirty 'Thouſand Pounds; as alſo the taking away out of the King's Caſtle at '*Marlborough*, Thirty Six Sacks of Wooll, a *Chalice* and Croſs of Gold, 'divers Rich Veſtments and other Ornaments belonging to his Chap'pel; beſides other Goods and Furniture to the Damage of Five Thou'ſand Pounds more.

Ibid.

I have not recited all the Particulars of this Loſs, becauſe it would be too tedious; the Reader that deſires a more particular Information of theſe Matters, may find it in Dr. *Brady*'s Hiſtory: Tho' this may ſuffice to give the Reader a true Notion of the great Power and Riches of the *Engliſh* Barons in thoſe days, as alſo of their antient manner of Living, and the Reaſons why they were then able to keep ſuch great Hoſpitality, ſince they managed their Eſtates or Demeſnes by the Stewards or Bailliffs of their Mannors, who ſold or ſpent the Live Stock and Husbandry upon them, as was moſt for their Lord's Adtage; there being then few or no Farmers or Husbandmen able to take Leaſes of Lands for Years, (much leſs at a Rack-Rent) paying a yearly Sum of Money for them, as is practiſed at this day: All which, if conſider'd, it is no great wonder, that the Noblemen of thoſe times ſhould be poſſeſſed of ſuch great Stocks of Corn and Cattle, ſince their chief Riches lay in them more than in ready Money, which was then ſcarce enough. But to proceed with the reſt of this Record.

Then excepting the Difference of the Loſſes, ſet forth in the Father's Petition, (being of much greater value than thoſe of the Son's) the Concluſion of it is alike word for word; and the ſame Errors are aſſign'd as in the former Proceſs or Award, with a like Recital of *Hugh* the Father's rendering himſelf Priſoner to the King, and being alſo received into his Protection.

Ibid. The Examination of the King and Parliament upon the ſaid Petition.

'Then follows the King's Judgment, in this Form: And we afterwards at our Parliament held at *York* three weeks after *Eaſter*, in the 'Fifteenth Year of our Reign, cauſed to come before us the Proceſs 'of the Award; as alſo the Petition of the ſaid *Hugh* the Son, and '*Hugh* the Father, in theſe Words: To the Honour of God, and Ho'ly Church, &c. The whole Sentence or Award is again repeated in 'this Record. After which Recital it proceeds thus: At which Parlia'ment at *York*, the ſaid *Hugh* the Son, and *Hugh* the Father, being 'brought before us in * *Court*, proſecuted their Complaints, and pray'ed us to do them Right; when the ſaid *Hugh* the Son for himſelf al'ledged the Errors in the Proceſs, as aboveſaid; and alſo *Hugh* the 'Father alledged the ſame Errors, and prayed ſeverally and jointly, 'that as the Award was made erroneouſly and wrongfully, againſt 'the Laws and Uſages of the Realm, and againſt Common Right and 'Reaſon;

* *i. e.* in Parliament.

'Reaſon that we would annull and defeat the ſaid Award, and that they (the Complainants) might be remitted and reconciled to our Faith, and to ſuch Eſtate as they had, and were in before the Award. And here upon hearing the Reaſons of the ſaid *Hugh* and *Hugh*, we cauſed the Proceſs to be examined in full Parliament, in the preſence of the Prelates, Earls, Barons, Knights of Counties, and the * *People* that were come by reaſon of the Parliament; and we found the ſaid Award was made without calling them to anſwer, and without the Aſſent of the Prelates, who are Peers of the Realm in Parliament, and againſt the *Great Charter* of the Franchiſes of *England*; which ſays, *No Freeman ſhall be baniſhed, or otherways deſtroy'd, but by Lawful Judgment of his Peers, or the Law of the Land*; and for that they were not called in Court, to make Anſwer, &c. for theſe Errors, and for that the Cauſes of the ſaid *Award* were not duly proved; As alſo having regard to this, that we cauſed the Parliament at *Weſtminſter* to be ſummoned in due manner, and commanded by our Writs the ſaid Great Men (who made the ſaid Award) not to make Aſſemblies and Alliances, or come with Armed Men; yet they came with all their Force to that Parliament, notwithſtanding Our Command; and when they came to *London* in that manner, they held their Councils and Aſſemblies without coming to Us at *Weſtminſter* according to Summons; and when We ſent to them to come to the Parliament at *Weſtminſter*, as they ought, they would not come, nor let Us know their mind, nor the Cauſe of the Award, tho' We had begun and held the Parliament for Fifteen days and more, and cauſed to come before Us the Prelates, and ſome Earls and Barons, Knights of Counties, and others, who came for the *Commons* of the Realm; and cauſed it to be publiſhed, that thoſe that had Petitions to promote, ſhould deliver them: And after Proclamation thus made, no Petition was deliver'd, or Complaint made againſt the ſaid *Hugh* and *Hugh*, until they (the Barons) came as aforeſaid; and the Contrivance of the ſaid *Award* they wholly conceal'd and kept from Us, unto the very Hour they came to *Weſtminſter*, with Force and Arms, and made their Award againſt Reaſon, as a Thing treated and agreed on amongſt themſelves, by their own Authority, in Our abſence, and Encroachment upon the Regal Power, Juriſdiction and Connuſance, and Judgment of thoſe things which belong to Our Royal Dignity: Wherefore We could not at that time ſtop the ſaid *Award*, nor do Right to the ſaid *Hugh* and *Hugh*, as it belonged to Us. And further taking notice, that thoſe Great Men, after the Award made, prayed Our Pardon and Releaſe for Confederating themſelves by Oath, Writing, or in other manner, without Our Leave; in perſuing the *Diſpenſers*, and marching with our Banners, and their own Enſigns diſplay'd; and taking and poſſeſſing Caſtles, Towns, Mannors, Lands, Tenements, Goods and Chattels; and alſo taking and impriſoning People of our Allegiance, and others; ſome they wounded, and ſome they killed, and many other things they did in order to deſtroy the ſaid *Hugh* and *Hugh*, in *England*, *Wales*, and other where; of which ſome might be called Treſpaſſes, and others Felonies. Alſo it appear'd, that thoſe *Great Men* were Enemies to, and hated them at the time of the Award, and before, whereof they ought not to be their Judges, in their own Proſecution of them, nor have Record upon the Cauſes

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The Reaſons why the former Sentence ought to be made void.

* *i. e.* the Citizens and Burgeſſes.

'of the ſaid Award. And we are bound by Oath made at our Coronation, and obliged to do Right to all Our Subjects, and to redreſs and cauſe to be amended all Wrongs done to them, when We are required; according to the Great Charter, by which *We are not to ſell or delay Right and Juſtice to any one*: And at the preſſing Advice and Requeſt of the Prelates, given Us for the Safety of Our Soul, and to avoid Danger, and to take away an Evil Example for the time to come, of ſuch Undertakings and Judgments in the like Caſe, againſt Reaſon: Whereſore We ſeeing and knowing the ſaid Proceſs and *Award*, made in the manner aforeſaid, to be as well to the Prejudice of Us, the *Blemiſhment* (or Hurt) of Our Crown and Royal Dignity, againſt Us and Our Heirs, as againſt the ſaid *Hugh* and *Hugh*, and for other reaſonable Cauſes: We by Our Royal Power, *in a full Parliament at* York, *by the Advice and Aſſent of the Prelates, Earls and Barons, Knights of Counties, the Commons of the Realm, and others*, being at our Parliament at *York*, do wholly annull and defeat the ſaid *Award* of the Exile and Diſheritance of the ſaid *Hugh* and *Hugh*, and all things in the *Award*; and do fully remit and reconcile the ſaid *Hugh* the Son, and *Hugh* the Father, to Our Faith and Peace, and to the Eſtate they had and were in, before the making that *Award* in all Points. And We adjudge, That they have again Seiſin of their Lands and Tenements, Goods and Chattels, *&c.* And We Will and Command, that where ever this ſaid *Award* is enrolled in any of our Courts, it be cancell'd and annull'd for ever.

The former Sentence or Award againſt the *Spencers* made void by the Parliament.

And ſo the Roll was Cancell'd and Croſſed, and accordingly remains ſo at this day, with this *Memorandum* written under the ſaid Award: 'Theſe Things above written are Nulled and Cancelled by force of an Award, or Decree made in the Parliament at *York*, held Three Weeks after *Eaſter*, in the Fifteenth Year of the Reign of our Lord King *Edward*; as 'tis contain'd in a Schedule ſowed to, and hanging at this Roll.

* *Vid.* Stat. Roll from *Hen.* 3*d.* to 21. of *Ed.* 3. M. 31. & MS. in Bib. Cott. Claudius, D. 2. F. 232 a.

The Ordinances or Proviſions in the Fifth Year of the King's Reign, are alſo made void.

'And further in * this Parliament at *York*, the Prelates, Earls, Barons, and the Commons of the Realm there Aſſembled by the King's Command, cauſed to be rehearſed and examined the Ordinances dated the Fifth of *October*, the Fifth of *Edward* the *Second*; and for that, by examination thereof, it was found in the ſaid Parliament, That by the things which were formerly Ordained, the King's Power was reſtrained in many things contrary to what was due to His *Seigniory* Royal, and contrary to the State of the Crown; and alſo for that in times paſt, by ſuch *Ordinances* and *Proviſions* made by Subjects over the Power *Royal* of the Anceſtors of Our Lord the King, Troubles and Wars came upon the Realm, by which the Land or Nation was in Danger; it was accorded and eſtabliſhed in the ſaid Parliament by the Lord the King, the Prelates, Earls, Barons, and all the Commonalty of the Realm at that Parliament Aſſembled, That all thoſe things Ordained by the former *Ordainers*, and contained in thoſe *Ordinances* from thence forth for the time to come, ſhould ceaſe and looſe their Force and Effect for ever; and that from thence forward in no time, no manner of *Ordinances* or *Proviſions* made by the Subjects of the Lord the King, or His Heirs, by any Power or Commiſſion whatever over or upon the Power Royal of Our Lord the King, or His Heirs, or againſt the State of the Crown, ſhall be of any

'Value or Force, but all things that ſhall be eſtabliſhed for the Eſtate 'of the King and His Heirs, and for the State of the Realm and Peo-'ple may be Treated, Accorded, and Eſtabliſhed in Parliament by 'the King, with and by the Aſſent of the Prelates, Earls, Barons, 'and *Commonalty* of the Realm, as hath been accuſtomed.

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I do not find any thing elſe to have been done in this Parliament, but that [1.] *Hugh le Deſpencer* the Father, was now made Earl of *Wincheſter*, and had the Manor and Caſtle of *Donnington* in *Lincolnſhire* given him for the better ſupport of his Dignity; alſo at the ſame time Sir *Andrew Harclay*, who had taken the Earl of *Lancaſter* Priſoner, was for that piece of Service Created Earl of *Carliſle*, and had certain Lands on the *Marches* of *Scotland* beſtowed upon him, with the Government of that City and County. The King had then alſo granted Him towards his Expedition againſt the *Scots*, a* *Tenth* Part of the Goods of the Lords and Commons of the Kingdom, and a *Sixth* Part of thoſe belonging to the Cities, Boroughs, and Antient *Demeaſns*. The *Reader* may here obſerve the great Violence of theſe Times; for as the King by His late Succeſs againſt the Earl of *Lancaſter*, and the Barons of His Party, was now able to procure a Parliament that would do whatever He and the *Deſpencers* would have them; ſo when the Tide turned, and the Queen and Her Adherents, (who were the greater part of the Barons) got the better over the King, and theſe His Favourites were executed, all the Proceedings in this Parliament at *York* were looked upon as null and void, as being procured by Force and Fear, as you will find hereafter, towards the latter end of this Reign. But to return to our Hiſtory.

[1.] T. *W.* Ib. *Hugh Spencer* the Father made Earl of *Wincheſter* in this Parliament.

* Rot. Clauſ. 16 *Ed.* 2. m 20. Dorſ. A Grant is alſo then given the King.

Not long after the breaking up of this Parliament, towards the latter end of *July*, [2.] the King having ſtill a great Army on foot, was reſolved to make another Expedition into *Scotland*, to revenge the Injuries He had received, but ſo ſoon as He enter'd that Kingdom, the *Scots* hearing of His Approach, deſtroyed their Countrey as much as they could, and ſo retreated into their Faſtneſſes in the Mountains beyond the *Frithe* of *Edinburgh*, which the King not thinking fit to paſs over, His Army being much diſtreſſed by Sickneſs, as alſo for want of Victuals and Forage, He returned back again in the beginning of *September*, without doing any thing conſiderable; but before He could reach *England*, the *Scots* were again come back, and following the King at the Heels, diſtreſs'd His Army by daily Incurſions, [3.] took *Norham* Caſtle, and marching forward, deſtroyed divers Towns in the *North-riding* of *Yorkſhire*, and ſo ſurprized the King at the Abby of *Byeland*, in the Foreſt of *Blackmore*, that they had even like to have taken Him Priſoner, had He not ſpeedily ſaved Himſelf by flight; nevertheleſs, they ſeized all His Plate, Furniture, and Money, and meeting with the Earl of *Richmond*, who had been ſent by the King to obſerve the Motions of the *Scots*, they routed his Men, and carried him away Priſoner; but the King Himſelf, with His Favourite, the Younger *Deſpencer*, got ſafe to *York*. This is the Third Expedition which this Unfortunate Prince made into *Scotland*, with the like ill Succeſs: [4.] When His Enemies had ſpoiled the Country as far as that City, they returned homeward with a great many Priſoners, and much Booty, and in their Return [5.] they put the Towns of *Rippon* and *Beverley* to a Ranſom of Four hundred Pounds, which

[2.] T. *W.* Ib. The King makes another Expedition againſt the *Scots*, but without any Succeſs, and returns back.

[3.] C. *Walt. Hemingford* in Bib. *Herald.* The *Scots* preſently after invade *England*, and deſtroy the Countrey almoſt as far as *York*, and had like to have taken the King Priſoner.

[4.] T. *W.*

[5.] C. *Ad. Mur.*

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which they were forced to pay, to ſave them from Burning and Pillage.

[1] *Mezeray, Ad hunc An.* The Death of *Philip* the *Long*, K. of *France*, who is ſucceeded by *Philip* the *Fair*.

As to Foreign Affairs, I find nothing elſe to have happened conſiderable, only the [1.] Death of *Philip* the *Long*, King of *France*, who deceaſed of a *Quartane Ague*, at *Bois de Vincennes*, on the Thirteenth of *January*, having attain'd but to the thirty firſt Year of His Age, and the beginning of the Sixth of His Reign, but died unlamented both by the Clergy and People, becauſe of His frequent exacting of *Tenths* from the Former, and the many grievous Taxes He laid upon the Latter: He left no Iſſue Male but three Daughters, ſo that according to the *French Salick Law*, His Brother *Charles*, ſirnamed *The Fair*, ſucceeded Him.

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[2.] *T. W. Ad hunc An.*

The King expreſſes a Concern for the Death of the Earl of *Lancaſter*.

King *Edward* [2.] having kept His *Chriſtmas* at *York*, continued there all this Winter; and though He put the beſt Face He could upon His late Defeat by the *Scots*, yet it ſeems He was much concern'd at the Diſhonour of it, as alſo for the late ſevere Proceedings againſt the Earl of *Lancaſter*: For when about this ſame time an Ordinary Perſon of the Family of that Prince, who had been engag'd with his Lord in the late Inſurrection, was taken and condemn'd to be hang'd, but becauſe he formerly had a Place at Court, ſome about the King offer'd to intercede for his Life; at which He fell into a Paſſion, ſaying, *Go your ways, you wicked and malicious Detractors, you can intercede for this Raſcal, but none of you would not ſo much as open your Mouths in behalf of my Couſin of* Lancaſter, *who if he had lived, might have been uſeful both to Me and the whole Kingdom; therefore as for this Fellow he ſhall die as he deſerves*; and ſo He ordered Execution to be done upon him. This Story deſerves to be taken notice of, becauſe it lets us ſee, that this King was not cruel in His Nature, but repented Him of His too great Severity to His Kinſman, whom perhaps He might have pardon'd, had any of thoſe about Him interceeded for his Life, and that the Two *Deſpenſers* had not haſten'd his Execution.

[3.] Id. Ib. The ſudden great Fall of *Andrew Harclay* Earl of *Carliſle*, and the Occaſion of it.

[3.] About *Candlemas* happen'd a ſtrange Revolution of Fortune to a Great Perſon lately raiſed; for *Andrew de Harclay*, Earl of *Carliſle*, did not long enjoy his new Honour,, and whether it was from an Indignation, to ſee *Hugh le Deſpenſer* the Younger ſo much prefer'd before him in the King's Favour, or that he hoped to advance his Fortunes much higher, by an Alliance with the King of *Scots*, we know not, however he held a Secret Correſpondence with Him, and engaged to go over to His Party, and (as ſome relate) to marry His Siſter; but this was not kept ſo ſecret, but at laſt it came to the King's Ear, Who thereupon privately employ'd Sir *Anthony Lucy*, a Valiant Knight of thoſe Northern Parts, to ſeize upon his Perſon, which (though he had been his familiar Friend, yet) to eſtabliſh himſelf in the King's Favour, he undertook; and underſtanding that the Earl reſided then at *Carliſle*, he came upon him on the ſudden with a ſtrong Party, and taking him Priſoner, ſent him up to *London*, where he was tryed by his Peers, and adjudged to be condemned, drawn, hang'd and quarter'd, which was executed upon him accordingly; but he was firſt degraded of his Honour of Knighthood, his Gilt Spurs being cut from his Heels with a Hatchet, and his Military Belt or Girdle pulled from about his Middle; his Head was ſet upon *London-bridge*, and his Quarters were ſent to four of the Chief Cities of *England*. This deſerves our notice, it being the firſt

He is degraded, and then executed.

Example

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Example in our Hiſtory of any Nobleman or Gentleman who had been thus degraded before his Execution.

[4] Hiſt. *Aur. ad hunc An.* Some Writers extenuate his Crime with the Project of Peace he would have made with the King of *Scots*.

But I cannot omit taking notice that the [4] Author of the Chronicle of *Lanercoſt* (from whom alſo *John* of *Tinmouth* often follows) does all he can to extenuate this Earl's Crime; as that when he ſaw the King not able to defend his Kingdom againſt the *Scots*, he thought fit to make Peace with them upon the beſt Terms he could; and to that end going privately into *Scotland*, there held a Secret Treaty with King *Robert*; the Deſign was to make a Perpetual Peace between the Two Nations, the Chief *Articles* were, 'That each of them ſhould live in Peace under their own Kings and Laws, diſcharg'd of all Subjection and Dependance of either King to the Other, and that for the determining of all Differences between them, Six Noblemen of each Nation ſhould be choſen, and have full Power for that purpoſe, in order to the Peace and Benefit of both Kingdoms, and the Deciſions of theſe Commiſſioners, the King of *Scots* and the ſaid Earl ſhould ſee put in execution in their reſpective Kingdoms, without delay; that in conſideration of this Peace, the King of *Scots* ſhould pay the King of *England* the Sum of 80000 Marks in ten Years, at 8000 Marks *per Ann.* it was alſo agreed, That King *Edward* ſhould have the diſpoſal in Marriage of his (*viz.* King *Robert's*) Eldeſt Son, according to the Agreement of the Twelve Noblemen above-mentioned, for the good of both Kingdoms, neither of which was to receive each other's Enemies, but that if the King of *England* would not agree to His Treaty, within one Year next enſuing, then the King of *Scots* was to be free from the ſaid Engagement: For the true performance of all which *Articles*, the Earl of *Murrey* ſwore on the behalf of King *Robert*, as the Earl of *Carliſle* did for himſelf; who ſo ſoon as he return'd into *England*, ſent to the Sheriffs of *Northumberland*, the Biſhoprick of *Durham* and *Yorkſhire*, commanding them to ſummon all the Chief Men of thoſe Counties to be aſſiſting to him in performing the ſaid *Articles*, and to proſecute all thoſe who ſhould go about to hinder or oppoſe their Execution; the Earl himſelf did the like in *Cumberland*, which when the Common People heard of, they were very much pleaſed, ſince they now hoped to live in peace: But upon this News King *Edward* and His Council were ſo highly incenſed, that the Earl ſhould offer to treat with the Common Enemies, the *Scots*, without their knowlede or conſent, to the prejudice of the King and Kingdom; and eſpecially, ſince he would have obliged the King's Subjects to riſe againſt Him, if He would not agree to what the Earl had then concluded without His knowledge; whereupon He order'd him to be ſeized, (as hath been already related): The ſame Authors farther ſay, That the Earl was not condemned at *London*, but at the Caſtle of *Carliſle*, where on the Third of *March*, Sir *Geoffery le Scrope*, Lord Chief Juſtice, ſat upon him, and condemned him to ſuffer as a Traytor; and that at his Execution he confeſſed the whole Confederacy with the *Scotiſh* King, in the manner as is here related. But to proceed with the reſt of the *Scotiſh* Affairs.

[5] *T. W.* The King of *Scots* ſends Ambaſſadors to *Rome* to obtain the *Pope's* Abſolution from the *Interdict*, and offers a Truce with *England*.

[5] *Robert* King of *Scots* having been ſometime ſince excommunicated by the *Pope*, and His Kingdom put under an Interdict, for refuſing to make Peace with the King of *England*, being now ſenſible of the great Inconvenience of it, He ſent the Biſhop of *Glaſco* and the Earl of *Murrey* to *Rome*, to try if they could obtain Abſolution from the *Pope*, but

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but could not prevail, becauſe He was oppoſed by a Clerk of the King of *England*'s, who was ſent thither to prove, that *Robert Bruce* had not given His Holineſs, nor yet the King his Maſter, any Satiſfaction; wherefore to comply with the *Pope*'s Commands, and thereby obtain His Favour, King *Robert* propoſed a Truce to King *Edward*; who being now tired out with this Unlucky War, readily agreed to it; and ſo it was concluded between the Two Kings for Thirteen Years, and was compriſed in as many *Articles*; for which our Author refers us to the Chronicle of *Henry Blankford*, a Monk of St. *Alban*'s Abby, which not being now to be found, we know not what they were.

[1.] Id. Ib. Ambaſſadors arrive from *France* to ſummon the King to come over, and do His Homage, but He is diſſwaded by the *Spencers* from going over.

Not [1.] long after this there came over the *Sieur Seonville*, and *Andrew de Florentia*, as Ambaſſadors out of *France* to the King, then lying at *Pyckering* in *Yorkſhire*, to cite and admoniſh Him to come over within a certain time prefixed, to perform His Homage to *Charles* the New King of *France*, but *Hugh le Deſpencer* the Younger, and *Richard Baldock*, the King's Chancellor, perſwaded the Ambaſſadors not plainly to declare to the King the Penalty He was to undergo in caſe of a Failure, *viz.* the ſeizing on His Territories in *France*; which they ſo far comply'd with, that they only gently adviſed Him to come over with all convenient ſpeed; but of this Admonition, the Latter of theſe Ambaſſadors (being a Publick Notary) privately made an *Inſtrument* or *Record* of it, atteſted by himſelf; which being deliver'd to the King of *France* upon their Return, He iſſued out a *Proceſs* in the Parliament of *Paris*, in vertue whereof He not long after ſeized upon all the King's Territories in *Guienne* and *Gaſcoigne*, as you will hear further under the next Year.

Upon failure of which the King of *France* ſeizes upon all His Territories there.

[2.] Id. ib. Some endeavours, though in vain, to reſcue the Lords *Berclay* and *Audley* out of Priſon.

About [2.] this time there was carried on a Secret Plot or Combination of many that were of the Party of the impriſon'd Barons, to ſet them free; and in order to this ſome of the Conſpirators came by Night to *Walſingford* Caſtle, with a deſign to ſet the Lords *Berkley* and *Audley*, who were kept there, at liberty; this was ſo near ſucceding, that they had got in by a Poſtern-Gate next the *Thames*; but being diſcover'd by ſome of the Warders of the Caſtle, they alarum'd the Townſmen, who came in quickly to their aſſiſtance; whereupon the Conſpirators fled for Refuge into the Chappel there; but that did not at all avail them, for they were pulled out from thence, and the Ringleaders hang'd, and the reſt made Priſoners.

[3.] Id. Ib. *Ad Mur.* The Lord *Roger Mortimer* makes his Eſcape out of the *Tower*.

Yet [3.] not long after, about the beginning of *Auguſt*, the Lord *Roger Mortimer* the Younger, eſcaped out of the *Tower* of *London*, by putting a Sleeping Doſe into the Drink wherewith he treated the Warders; or elſe (as the Chronicle of *Leiceſter* in *H. Knyghton* relates) by the Connivance of one *Girald de Alſpaye*, who was then Lieutenant of it under the Lord *Stephen de Segrave* the Conſtable; ſo ſoon as he had eſcaped, he went immediately over into *France*, where that King being upon ill Terms with His Brother of *England*, not only received him, but divers Others of the late Baron's Party, that had fled thither for fear of the *Diſpenſers*, who now ſeized the Eſtates of whomſoever they pleaſed to call Enemies to the Publick, who was indeed Enemies to themſelves; but the Eſcape of *Mortimer* and the Reſt proved the Ruin of theſe Favourites a few Years after: *Walſingham*, and ſome other Authors place this Nobleman's Eſcape under the next Year, but I prefer

Adam Murymouth's Account, who ſays, It was on the firſt of *Auguſt* in this, when indeed it happen'd.

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Dr. *Brady* hath given us a * Record, whereby it appears, that the Lord *Roger Mortimer* the Younger, upon his Tryal for Treaſon, having received Judgment to be drawn and hang'd, the King out of His Special Grace, pardon'd the execution of that Sentence, and ordered, that inſtead thereof he ſhould be a perpetual Priſoner, and aſſigned certain Juſtices to adjudge him to perpetual Impriſonment; but as to what *De la More* relates of his eſcape out of the *Tower*, and going over to the Queen into *France*, it is certainly a Miſtake, all Writers (beſides himſelf) relating it as done a Year before at leaſt. And whereas Dr. *Brady* alledges his following Combination with the Queen as a great piece of Ingratitude to the King, to whom he owed his Life, yet thus much muſt be ſaid in his Vindication, That the Sentence of Death that was given againſt him, was certainly too ſevere, and contrary to Common Juſtice, ſince he had before ſurrender'd himſelf to the King's Clemency, upon his Arrival in the *Marches* of *Wales*; and it is highly probable it was not without ſome Private Conditions for the ſaving of his Life and Eſtate: And though it appears by the Record abovementioned, that he had his Life given him, yet that was no great Favour, when his Eſtate and Liberty was to be for ever loſt, and his Family ruined; eſpecially when the King Himſelf had no Right to take them away.

* Pat. 16 *Ed.* 2. part. 1. m. 34. Dorſ.

A] Vindication of the Lord *Mortimer* from ſome Falſe Miſrepreſentations.

The King, [4.] having kept His *Chriſtmas* at *Kenelworth* with great Magnificence and Crowds of Nobility, in the * beginning of *Lent* following, held a Parliament at *London*, to treat of divers Publick Affairs, and particularly what Anſwer he ſhould return to the K. of *France* His Embaſſie, concerning His going over to do Him Homage; and as to that Matter, it was the Reſolution of the Lords, and all Others there aſſiſting, That the King ſhould not go in Perſon, but ſhould ſend certain Ambaſſadors on purpoſe to excuſe His coming over at all, or at leaſt, to delay it for a time; and there were choſen in this Parliament two Noble Perſons to go on that Errand, to wit, the Earl of *Kent*, the King's Brother, and the Archbiſhop of *Dublin*.

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[4.] T. W.

* Rot. Clauſ. 17 *Ed.* 2. m. 27. Dorſ.

The King holds a Parliament, where it is debated, what Anſwer to return to the King of *France*'s Summons.

The [5.] King alſo required in this Parliament a pecuniary Aid from the *Clergy* and *Laiety*, to diſcharge the Ranſom of *John* Earl of *Richmond* and *Bretagne*; but this Propoſal was refuſed by the Barons for a very good Reaſon, *viz. That no ſuch Tax ought to be raiſed, but only for the Ranſom of the King, Queen, and their Eldeſt Son, if they ſhould happen at any time to be taken Priſoners, and ſo that Demand fell.*

[5] Id. Ib. The Parliament refuſe the King an Aid.

In [1.] this *Parliament* likewiſe *Adam* Biſhop of *Hereford* was arreſted, to the great ſcandal and prejudice of the *Clergy* (as the Monk my Author words it) being examined before the King and Lords upon divers *Articles* of High-Treaſon. It was laid to his Charge, That he had receiv'd certain of the King's Enemies, had furniſhed them with Arms, and had given them his Aſſiſtance, Favour and Advice: The Biſhop being a Diſcreet and Learned perſon, ſaid little at firſt to this Accuſation, until being further urged, he thus anſwer'd; *My Lord the King, (ſaving all due Reverence to Your Majeſty) I being an humble Miniſter of God's Church, and a Conſecrated Biſhop (though unworthy) ought not to anſwer ſuch high Matters without the Licenſe and Authority of my Lord the Archbiſhop of* Canterbury, *who, next to the Pope, is my proper Judge; as alſo with the Conſent of the reſt of my Fellow Biſhops:* Upon which the Archbiſhop

[1.] Id. Ib.

The Biſhop of *Hereford* arreſted for High-Treaſon, with the Charge againſt him.

His Anſwer to the Accuſation.

Upon the Archbiſhop of *Canterbury* and other Bps. Interceſſion he is delivered into the ABps Cuſtody, and being brought to his Tryal, is reſcued by the Biſhops; yet the King does not deſiſt from His proſecution. He is found guilty by a Jury in *Herefordſhire*, and all his Temporalities are ſeized.

and his Suffragans riſing up, implored the King's Mercy for him, whereupon he was delivered to the Cuſtody of the Archbiſhop, till the King ſhould reſolve when and how to ſummon him again, to anſwer what might be farther laid to his Charge; But the King's Anger not being yet pacified, ſome days after He ſummoned the Biſhop again to anſwer in this Court; which coming to the ears of his Brethren the Archbiſhops of *Canterbury*, *York*, and *Dublin*, with ten other Biſhops, came to the place of Judgment, with their Croſſes erected, and took him away into their own Cuſtody, firmly enjoining all that were preſent, under the pain of God's Curſe, not to lay Violent Hands upon him; with which Boldneſs of the *Clergy* the King was ſo incenſed, that He commanded Inquiſition to be made upon the former Charge before His Juſtices in *Herefordſhire*, and a Jury being ſummoned of that County, and fearing to offend the King, quickly found the Biſhop (though abſent) guilty of all the *Articles* laid to his Charge; which Verdict His Majeſty then taking advantage of, immediately ordered all the Biſhop's Goods, Lands, and Revenues to be ſeiſed; but he ſtill continued in the Cuſtody of the Archbiſhop of *Canterbury*, expecting the King's Mercy, though in vain.

*Clauſ. 1 *Ed.* 3. part. 1. m 13. Intus.

The Crimes laid to his Charge, and the *Proceedings* thereupon proved from a Record.

But as the following * Record ſets forth how he was reſtored to his Temporalities in the firſt of *Edward* the *Third*, ſo it alſo ſhews particularly, what Crimes were laid to this Biſhop's Charge, and the Proceedings thereupon, and indeed confirms the Teſtimony of our Author; therefore I ſhall give you the Contents of it, *viz. That by an Inquiſition taken at* Hereford *before the Juſtices of the* King's Bench, *it was there found, that* Adam *Biſhop of that See, was of the Confederacy of* Roger de Mortimer *of* Wigmore, *who was then reputed an Enemy and Rebel to the King his Father, and that he (the Biſhop) ſent certain Men at Arms to his aſſiſtance; and being accuſed of theſe Things before the ſaid Juſtices, he had alledged,* * *That without offending God and Holy Church, and without leave of the People, he could not, nor ought to make Anſwer; nor ought the Juſtices to proceed to take the ſaid Inquiſition; yet however they did proceed againſt him; and becauſe it was found by that Inquiſition, that the Biſhop was of the Confederacy of the ſaid* Roger, *and ſent to his aſſiſtance Men of Arms, it was adjudged by the ſaid Juſtices, That he ſhould as one Convict remain in the Cuſtody of the Archbiſhop of* Canterbury, *and that his Lands and Tenements, Goods and Chattels ſhould be ſeiſed into the King's Hands; and they remained ſo ſeiſed, until the date of this Record, by which they were reſtor'd.* Witneſs the King at *Weſtminſter* the Sixteenth of *February*, in the firſt Year of His Reign.

* *i. e.* Pleaded by his Attorny (for it is certain he was not there in perſon, as appears above.)

[2.] *T. W.* The Lands of the late Knights *Templars* are beſtowed on thoſe of S. *Joh.* of *Jeruſalem* Vid. * *Totel's* Collection, 16 *Ed.* 2.

But to return to the reſt of the Affairs tranſacted in this Parliament, in which all the Mannors and Poſſeſſions of the late Knights *Templars* were by the Common Conſent of the *Clergy* and *Laity* of the Kingdom granted to the Knights * of St. *John* of *Jeruſalem*, *Hoſpitalars* for ever, as appears by the Statute at large, made for that purpoſe, under this Title of *Statutum de Terris Templariorum*; the Chief Heads of which you may find at the end of this King's Reign, where are ſome things worthy your obſervation: But I cannot forbear here taking notice, that Dr. *Brady* hath omitted in his Hiſtory making any particular mention of this Parliament, or of the Proceedings in it, except what he curſorily ſays concerning this Buſineſs of the Biſhop of *Hereford*; and yet the * Dr. is certainly out in his Relation, ſuppoſing him to have

*p. 147.

been tryed in perſon by a Jury of his Country, and to be found guilty: whereas indeed he never was tryed by a Jury at all, for he was then abſent, but only a Bill of Indictment being found by the Grand Jury, the King ſeiſed upon his Temporalities, as appears by the Record above cited.

I ſhall now come to the moſt Remarkable Tranſactions with *France*, where we find a Treaty of Marriage to have been begun ſometime after the ending of the laſt Parliament, between Prince *Edward* the King's Eldeſt Son and the Daughter of *Charles* Count of *Valois* Coſin to the King of *France*; as appears by a Letter (extant on the * Clauſe Roll of this Year) directed to that Earl, who had lately preſſed him to a ſpeedy Concluſion of the Match; in Anſwer to which He lets him know, that it was neither expedient, nor decent, that this Treaty ſhould be concluded without the *Advice*, *Conſent*, and *Confirmation* of the *Prelates* and *Great Men* of His Kingdom aſſembled in *Parliament*; which He ſays, He reſolves to ſummon preſently after *Michaelmas*, and He will then take care to reſolve by the Common Council of the Kingdom, what ſhall be beſt for His Own and the Publick Intereſt; and to the like purpoſe He wrote to the King of *France*, about this Affair; as appears by another Letter to Him, entred upon the ſame Roll.

* 16 *Ed.* 2. m. 7. Dorſ.

But whether the King ſhewed Himſelf thus cautious in coming to a Concluſion concerning this Match, out of any deference to the Judgment of His Parliament, which was now, ſince the cutting off the Earl of *Lancaſter* and his Party wholly at His Own diſpoſal, or (which is more likely) out of ſome jealouſie or diſguſt at the King of *France*, I ſhall not here determine; only take notice, that it was not long after that a Quarrel between King *Edward* and that Prince broke out to ſuch a heighth, that it was like to have produced a War between the Two Crowns, if our *Edward* had either Power or Courage enough to have undertaken it. I ſhall now proceed to ſhew you, that *Charles*, ſirnamed the *Fair*, having lately ſucceeded to His Brother King *Philip* deceaſed, preſently after His coming to the Crown, ſummon'd our *Edward* to come over into *France* and do His Homage for the Territories He poſſeſſed in that Kingdom; this the King was perſwaded to by His Favourites the *Spencers* was neither honourable nor ſafe for Him to perform; whereupon His Brother the Earl of *Kent*, and the Archbiſhop of *Dublin* were ſent over this Summer, to try to accommodate this Affair; and though they were honourably received by the King, yet could they not obtain any Favour from Him on behalf of their Maſter, for He looked upon their Excuſes for His not coming over, to amount to a flat Denial of what He required, as to the Homage: Of ſo little value are the neareſt Alliances between Princes conſidered, when they find they can have any advantage over each other.

The Earl of *Kent* and ABp of *Dublin* are ſent over to the King of *France* to obtain a reſpit of the Homage, but without any effect.

But that which highly aggravated the Difference between the Two Kings was (as a [4] *French* Hiſtorian relates) that not long before, the Lord of *Montpeſat* had built a Fortreſs on certain Lands which he ſuppoſed to have belong'd to the Territories of the King of *England* in *Gaſcoigne*, but which the *French* aſſerted to belong to the King of *France*; this Buſineſs being diſcuſs'd in the Parliament of *Paris*, the Fort, with the Lands adjoining to it, were adjudged to belong to their King; who thereupon took poſſeſſion of the ſame accordingly; but the Lord of *Montpeſat* would not ſubmit to this Sentence, but calling the Seneſchal

[4] Contin. Chron. *Guil. de Nangis.*

A new Quarrel ariſes between the two Kings, and on what occaſion, according to the *French* Hiſtorians.

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of *Bourdeaux* to his Aſſiſtance, marched with ſome Forces to the place, razed the Fort, with all the other Buildings about it, to the Ground. This Relation is more likely than that of *Walſingham*, who tells it quite another way; That the King of *France* having built a certain Fort or Caſtle, with other ſumptuous Buildings, upon a piece of Ground belonging to the *Engliſh* Territory, the Inhabitants of that Village were ſo elated thereat, that they refuſed to ſubmit to the Common Laws of the Countrey, and affronted the Lord *Ralph Baſſet*, the King of *England*'s Seneſchal of *Bourdeaux*; who being thereby provoked, gathered ſome Forces, and marching to that Town, ſlew many of the Inhabitants, and razed the Fort and Buildings to the Ground. But this much is certain, that upon this Action the Seneſchal being ſummon'd to Anſwer in the Court of the King of *France*, he refus'd to appear, alledging, That he had done therein no more than his Duty to his Prince; whereupon the *French* King being more incenſed, declar'd him and all his Accomplices Traytors, for their Contumacy; then the Seneſchal hearing of that Sentence, got into the Caſtle of *Montpeſat*, abovementiond, where (it being well fortified) he ſecured himſelf from the Incurſions of the *French*; upon which the King of *France* demanded of the *Engliſh* Ambaſſadors, That *Baſſet*, with his Accomplices, might be deliver'd up, and puniſh'd according to the Laws of *France*; the Earl of *Kent* was willing, for Peace ſake, to conſent to the King's pleaſure in this Point; but the Archbiſhop of *Dublin* refus'd to agree to it, until he had conſulted the King his Maſter; wherefore Meſſengers being ſent into *England* about it, the King blamed the Eaſineſs of the Earl of *Kent*, and ſent word, *That He would not ſacrifice ſo good a Servant to the Unjuſt Reſentments of His Enemies*: When the King of *France* had received this Meſſage, He reſolved to uſe Force, and preſently ſent His Uncle the Lord *Charles* of *Valois* (a ſworn Enemy to the *Engliſh*) to ſeiſe upon the Dutchy of *Aquitain* and Earldom of *Ponthieu*, for the Diſobedience of King *Edward*, in not performing His *Homage*, as hath been already ſaid.

5] T W.
The Earl of *Kent* retires from the Court of *France* into *Guienne*, to ſecure that Province, but to no purpoſe, for he is overpowered by the Count of *Valois*.
And almoſt all the Territories in *France* are ſeized upon.

Upon [5.] theſe Severe *Proceedings* the Earl of *Kent* retir'd from the Court of *France* into *Guienne*, where many Noblemen lately come over from *England* met him, being ſent by the King with ſome Forces, to preſerve that Country (if it were poſſible) and reſiſt the Count of *Valois*; but it was to little purpoſe, for not having ſufficient Strength wherewith to make any conſiderable Reſiſtance, the Count ſeiſed all the Countrey as far as the Town of *Reoule*, in which the Earl of *Kent* then was; who finding himſelf unable to defend it, delivered up the Place upon certain Conditions; whereupon a Truce was made between them for a few Months, till a Peace could be concluded between the Two Kings; which not being preſently done, the Count of *Valois*, not long after, took almoſt all the *Engliſh* Territories in *France*, except *Bourdeaux*, *Sainct Severe*, and *Bayonne*.

[1.] Id. Ib.
The Endeavours of a *Peace* being fruſtrated, Commerce is forbid, and the Queen's Revenue ſeis'd,

[1.] Not long after which there were other Envoys ſent over into *France* to procure a Peace, but it ſeems that Treaty came to nothing: In the mean while things grew worſe and worſe between the Two Crowns, inſomuch that all Commerce was forbid, and the Merchants Effects ſeiſed in both Kingdoms: The Queen alſo fared the worſe for it, for all Her *French* Servants were diſmiſſed; and (further fearing Her Partiality to Her Own Nation) all Her Mannors and Caſtles were ſeized into

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to the King's Hand, and She was forced to ſubſiſt upon a bare Penſion or Allowance, and that ill pay'd too. It is therefore very likely, that what *De la More* reports may be true, that the Biſhop of *Hereford* having now obtain'd his Liberty, yet his Temporalities ſtill remaining in the King's Hands, he took this Opportunity by all means to revive the Hatred of the Nobility againſt the *Deſpenſers*, which was before laid aſleep; and alſo incenſed the Queen againſt them, as having adviſed the King to reduce Her Family, and retrench Her extravagant Expences; which cauſed Her Hatred not only againſt the *Spencers*, but alſo begot an Animoſity toward the King Her Huſband: The like was alſo done by *Henry* Biſhop of *Lincoln*, whoſe Temporalities had been ſeiſed two Years before. Theſe two Biſhops had divers Conferences with Her concerning the Iniquity of the Times, aggravating the Sadneſs of Her Condition; that She being the ſole Daughter of *France*, ſhould be forced like a mean Waiting-woman, to depend upon the *Deſpenſers* for Her Maintenance; and they both agreed in this Advice, that Her beſt way was to lay hold on the firſt Opportunity of making a Viſit to Her Brother the King of *France*, and Her Uncle Count *Charles de Valois*, and to beg their Advice and Aſſiſtance againſt the *Deſpenſers*; which if She obtain'd, all things might ſucceed according to Her Deſire. And indeed it was a very Impolitick Action of theſe Favourites, that when they had thus diſobliged the Queen, a Lady of a very high Spirit, they would ever permit Her to go over into *France*; as you will find they did the Year following, to the Ruin of themſelves, and the King their Maſter.

The Biſhop of *Hereford* takes this Opportunity to incenſe the Queen and Nobility againſt the *Spencers*.

The Biſhop of *Lincoln* does the ſame, and aggravates the Sadneſs of her Condition.

I have no more to relate under this, only that tho' the Truce with *Scotland* was agreed upon the laſt Year, yet was it not abſolutely concluded until now: [2.] when * in the Beginning of this Summer, *Adomer de Valence* Earl of *Pembroke*, *Hugh Deſpenſer* the Younger, *Robert Baldock* Archdeacon of *Middleſex*, and Chanceller, were with ſome other Perſons of Note, ſent from the King to *Newcaſtle* upon *Tyne*, to treat with *William* Biſhop of St. *Andrews*, *Thomas Randolph* Earl of *Murrey*, and ſome other Perſons of Quality, Commiſſioners for the King of *Scots*, concerning a final Peace. But when they could not bring that to bear, they ended their Negotiation in a Truce of Thirteen Years, to commence from the Tenth of *June*; which was proclaim'd the day following, and bears date at *Thorp*, not far from *York*.

[2.] Chron. Lan.

* *Stow's* Chron.

A Truce now made with *Scotland*, and the Commiſſioners who were employ'd in it.

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After [3.] the Concluſion of this Truce with *Scotland*, the King kept a Noble *Chriſtmas* at *Nottingham*; about which time there came the Archbiſhop of *Vienne*, and the Biſhop of *Aurange*, as Legates from the Pope, to mediate a Peace between the Kings of *England* and *France*, tho' without any effect: And ſo having impoſ'd a great Tax or Contribution upon the Clergy, to diſcharge the Expences of their Journey, they return'd back without doing the Buſineſs for which they came.

[3.] *T. W.* Certain Legates arrive from *Rome* to mediate a Peace between *England* and *France*, tho' without any Effect.

On [4.] the Octaves of St. *Hillary* enſuing, the King held a Parliament at *Weſtminſter*; where they treated concerning the Preſervation of the Dutchy of *Aquitain*, the greateſt part of which was now taken away by the *French*: And there it was reſolved, that the Biſhops of *Wincheſter* and *Norwich*, together with the Earl of *Richmond*, and *Will. de Ayremine* Chanon of *Norwich*, ſhould be ſent over Ambaſſadors

to

[4.] Id. ib. A Parliament ſummoned to conſider how to recover the Dutchy of *Aquitain*; for

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which Ambaſſadors are appointed to go over to treat about it. * Vid. Libnitz Cod. Diplomat. p. 108, 109.

to King *Charles*. But theſe arriving in *France*, after many Allegations and Treaties on both ſides, came not to any final Agreement, more than the Prolongation of the preſent Truce from Fifteen days after *Pentecoſt* to One Month after the Feaſt of the Nativity of St. *John Baptiſt*. This being concluded, the Biſhop of *Wincheſter* return'd into *England* (leaving his Collegues behind him) to give the King an Account of what they had done, and to receive his further Directions: When after a long Debate, tho' the King at firſt intended to paſs the Sea Himſelf, yet the two *Deſpenſers* His Favourites, either being afraid to be left behind leſt the Nobility and People ſhould riſe up againſt them, or if they went over with the King that they ſhould fall into the Hands of their Enemies the *French*, oppos'd His going over; and at laſt they agreed to the Queen's Offer, of going over Her Self to Her Brother the *French* King, and there mediate a Peace between Him and Her Huſband; or, as *De la More* relates, She obtain'd this of the King by Her Flatteries: But that is not at all likely, for She was then out of Favour, Her *French* Servants diſmiſſed, and Her Revenues ſeiſed: And therefore *Walſingham*'s Relation is much more probable; That thoſe that were neareſt about the King firſt propoſed the Queen's going over with a moderate Retinue, as the only way to prevail upon Her Brother of *France* to abate his Rigour towards Her Husband; and She readily undertook this Journey, as being that which She had long ſecretly deſired: And ſo [5.] She paſſed over to *Calais* in the Beginning of *July*, attended but by One Baron and Four Knights. So ſoon as She arrived, She was kindly received by the King Her Brother, who at Her Interceſſion came to this Agreement on the behalf of Her Huſband, That if King *Edward* would make over His Right in the Dutchy of *Aquitain*, and Earldom of *Ponthieu* to his Son *Edward*, upon his doing Homage to Him, He would give him Seiſin of both. Theſe things being on both ſides agreed on, the King of *France* iſſued his Letters of Safe-Conduct for the Prince; and then the King his Father made Him a Grant of thoſe Lands, to Him and His Heirs, Kings of *England*; adding withal, that if the Son ſhould dye, living the Father, they ſhould return to Himſelf, with ſome other Conditions, *by which it ſhould not be lawful for the King of* France *to marry Him, nor provide a Guardian for Him againſt His Will*. This Agreement was confirm'd by a Charter, with the Advice of the Prelates and other Noblemen at *Dover*, the day after the Nativity of the *Virgin Mary*, in the Eighteenth Year of the King; and on Thurſday following, *Edward* the Son, attended by *Walter* Biſhop of *Exeter*, and ſeveral Noblemen, went on Shipboard, and being arrived at *Paris*, not long after, *viz.* about the End of *September*, did Homage to his Uncle of *France* at *Bois de Vincennes*, which was performed under Proteſtations made on both ſides, in the preſence of divers of the Nobility of both Kingdoms. And that whole Affair was now compleated, for which the Queen was ſent into *France*, and the young Prince nobly preſented by His Uncle King *Charles*; yet did not the Queen His Mother think fit to return into *England*, for Reaſons that you will hear of by and by.

[5.] Id. ib. The Queen is ſent by Her Husband to intercede with Her Brother of *France*, and obtains favourable Terms.

Which are alſo agreed to by King *Edward*; whereupon the Pr. His Son goes over into *France*.

But [5] the King being Impatient, and Jealous at Her abſence, preſently after *Michaelmaſs* wrote to the Queen, that She ſhould ſpeedily return, and bring over Her Son with Her into *England*. She wrote back, that the King of *France* Her Brother, out of His great Affection,

[5.] *De la Moor.* Upon the Qu's delaying to return into *England*, the King writes to Her to haſten Her.

on, deſired their Company a little longer; ſo She ſent back the greateſt Part of both their Families, and ſpent the Reſidue of the Year in proſecuting Her Deſigns. *Walſingham* relates this Tranſaction ſomewhat otherwiſe: As that there were various Reports concerning the Queen's delaying to come over; ſome imputing it to Her too great Familiarity with the Lord *Roger Mortimer*, without whom and the other Baniſhed Noblemen, She had no mind to return: Whilſt others alledged it was, Her Hatred of the two *Deſpenſers*, the younger of whom had cauſed Her Family to be diſmiſſed; and that the latter of theſe proved the true Reaſon, the Event ſufficiently declared. Yet as to Her Familiarity with the Lord *Mortimer*, there might be nothing Criminal in it, [2] he being at that time above Forty Years of Age, and having Sons and Daughters at Men's and Women's Eſtate; tho' it cannot be denied, that the Queen both then and afterwards very much loſt Her Reputation, by reaſon of Her too great Intimacy with that Nobleman; and therefore it is confidently related by *De la Moor*, that She was ſo bound up in *Mortimer*'s Embraces, that ſhe would not return: But this is more certain, that the Biſhop of *Exeter*, the King's Treaſurer, having been diſmiſſed from being of Her Secret Council, left Her, and returning into *England*, gave the King a very bad account of Her Proceedings. And this made Him the more impatient of Her Stay, as appears by His Letters on * Record; for He wrote to Her ſeveral times this Winter to return home; expreſſing great Kindneſs to Her, and Grief of Mind for Her Abſence. In anſwer to which, She made many feigned Excuſes in Her Letters for Her not coming; but the Chief was, as I ſaid before, the Danger and Fear She was in of *Hugh le Deſpenſer* the Younger; which Letters She ſent to Him by the Biſhop of *Wincheſter*. In return whereunto, the King wrote back, that He much wonder'd at it;
' ſeeing and obſerving in His preſence the kind Deportment
' of Her to the Lord *Hugh Deſpenſer*, and of him to Her; and eſpeci-
' ally at Her Departure, declaring a perfect Amity; and ſince by Her
' Letters of a late Date, which He had ſhewn unto him, atteſting
' the ſame: And therefore the Homage being now done to his Brother
' of *France*, and that they were in ſo fair a Way of Reconciliation to
' each other; He commanded and charged Her as much as poſſible,
' that all feigned Excuſes laid aſide, She ſhould come home to Him with
' all ſpeed; for that the Biſhop had told him, that His Brother the King
' of *France*, in his preſence, had ſaid to Her, that according to the Te-
' nor of the Safe Conduct, She ſhould not be diſturb'd, nor ſtayed from
' coming over to Him, as to Her Lord, and as his Wife. And then fur-
' ther writes to Her, that when She came, Her Expences and Way of
' Living ſhould be ſuch, as ſhould be neither to His or Her Diſhonour. He
' alſo willed and commanded Her to ſuffer His Dear Son *Edward* to
' come to Him, as He had commanded Him. And whereas at this
' time, *Walter* Biſhop of *Exeter* was with Her, and had been certain-
' ly inform'd, that ſome of his Enemies and baniſhed Subjects wait-
' ed to deſtroy Him, if they had an Opportunity, to avoid ſuch Dan-
' gers, and for other great Buſineſs he had with Him, He commanded
' him upon his Faith and Allegiance to return to Him with all ſpeed;
' leaving all other things in as much Security, as he could; and there-
' fore She was to excuſe his ſudden coming away, it being for no other
' Cauſe. Dated at *Weſtminſter* the Firſt Day of *December*.

The Queen's Reputation vindicated, as to Her Familiarity with the Lord *Mortimer*.

The Biſhop of *Exeter* returns into *England*, and gives the King a bad account of Her.

Who thereupon writes again the more earneſtly to return home; with Her Anſwer to His Letters, and His Reply to Hers.

He commands the Queen to ſend over the Prince His Son to Him.

[2.] Vid. *Dugdale*'s Baronage, 1 Part, p. 144.

* Clauſ. 19 *Ed.* 2. M. 2. Dorſ.

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*Ib. The King of *France* writes to K. *Edward* to excuſe His Siſter's coming to Him for fear of the *Spencers*; to which He returns an Anſwer, deſiring Him to ſend over His Wife and Son.

*Ib.

* At the ſame time the King of *France* by the Biſhop of *Wincheſter* wrote to the King an *Expreſs* to let Him know, that He had been inform'd by perſons of good Credit, That the Queen durſt not come to Him for fear of Her Life, by reaſon of *Hugh le Deſpenſer*; to which the King made the ſame Anſwer He had done to the Queen before, and averred with an Oath, *That if the ſaid* Hugh, *or any Other Perſon living in His Kingdom, or in His Power, ſhould offer any ill to Her, and He ſhould know it, He would make them ſevere Examples to all Others*; and beſeeched Him, not to believe thoſe that inform'd Him otherwiſe, for that He had, and ought to have greater Reaſons to know and underſtand this Matter, than any Other; and therefore deſired Him to prevail with His Siſter to come to Him as ſoon as ſhe could, for the honour of Themſelves and of Her, being much grieved for want of her Company: He * alſo earneſtly prayed Him to diſpatch away His Son *Edward* with all ſpeed, and deliver up to him the Dutchy of *Aquitain* (which He had granted out of His Affection to him), it being His Intention he ſhould return ſo ſoon as he had done his *Homage*; and then excuſes the Biſhop of *Exeter*'s ſudden leaving *France*, and returning into *England*, in the ſame manner as He had done in the Letter to His Queen. This is dated at the ſame time and place with the former.

*Ib. The King writes alſo to the *French* B^ps^ and Noblemen to endeavour His Wive's Return.

**Comp.* Hiſt. 2d Vol. p. 151.

The King again preſſes the Prince to return either with or without his Mother.

* The King ſent Letters of much the ſame purport to the Archbiſhop of *Rheimes*, the Duke of *Burgundy*, and the reſt of the *Peers* of *France*, both Eccleſiaſtical and Temporal, as likewiſe to ſeveral Other *French* Biſhops and Great Lords His Friends and Relations, who were not *Peers*, whoſe Names 'twere needleſs to repeat, ſince *Dr. *Brady* hath done it already, to whom I refer the Curious Reader, if he deſires further to be ſatisfied: Beſides theſe Letters, the King alſo wrote to His Son the Duke of *Aquitain*, not long after, That though he was very young, yet he might remember what He commanded and charged him at his Departure from Him at *Dover*, *viz.* That when the King of *France* had received His *Homage*, he ſhould take his Leave of Him, and return to Him, with his moſt Dear Companion, the Queen his Mother, if She could come ſo ſoon; but if not, that he ſhould come without Her, and ſhould not omit it, neither for his Mother, nor any other perſon, upon His Bleſſing. Dated at *Weſtminſter*, the Second Day of *December*.

* Ib. The Prince's Anſwer to the King his Father, together with His Reply to it.

Wherein He inveighs highly againſt the Queen.

We find alſo on the ſame Roll, that the Prince had returned an Anſwer to the King his Father's Letter; wherein he acknowledges he did remember what his Father had charged him at *Dover*, and eſpecially not to marry without His Conſent, and what He ſaid there to him before his Departure; and farther promiſed always to perform His Commands and Pleaſure to his Power: Whereupon the King in His Second Letter, dated in *March* following, ſtrictly charges him again, 'Well
'to remember theſe Things, and in no caſe to marry, or ſuffer himſelf
'to be married without His Conſent, nor before he ſhould come to Him,
'nor do any thing that might turn to his damage or trouble of Mind:
And as to what His Son had ſaid in his laſt Anſwer, *That he could not come over ſo ſoon as He commanded him, by reaſon of his Mother, nor leave Her, being bound by Nature to perform his Duty to Her*; to this the King rejoin'd in theſe Words; *Good Son, You know how much I ſhould have loved and cheriſhed Her, if She had carried Her Self towards Us as She ought to have done, and as a Wife ſhould do toward Her Husband and*

Lord: But whereas She ſeigned an Occaſion to withdraw from Us, by reaſon of Our Dear Nephew, and Faithful Hugh le Deſpenſer, *who hath always loyally ſerved Us, You and all the World may ſee, that openly, and deſignedly, againſt Her Duty, and againſt the Eſtate of Our Crown, (which She is bound to maintain) She hath taken to Her, and retains ſtill in Her Company and Council,* Mortimer *Our Traytor and mortal Enemy, proved attainted, and in full Parliament ſo judged; and keeps him company every where in Houſe and Abroad, in deſpight of Us and Our Crown, and the Laws of the Realm, whom at another time your Uncle baniſhed His Kingdom at Our Requeſt, as Our Enemy; and yet She doth worſe (if worſe can be) in bringing you into his Company, and making him your Counſellor, and making you adhere and ſtick to him openly and notoriouſly in the face of the World, to the greateſt Diſhonour of Us and you, and in prejudice of Our Crown, and the Laws and the Uſages of the Laws of* England; *which above all things you are bound to preſerve and maintain: And therefore He commands and charges him upon his Faith, Amity, and Ligeance, and his own Bleſſing, that he ſhould come to Him with what Speed he could, notwithſtanding the foreſaid Excuſes, or any other; His Mother having wrote, that if He would return, ſhe would not hinder Him; and He could not underſtand, His Uncle ſhould do it againſt the Tenor of His Safe-Conduct.* Given at *Litchfield* the Eighteenth of *March.*

* At the ſame time King *Edward* again wrote to His Brother of *France*, that He had conſidered His Letters; wherein He ſignified to Him, that He had ſeriouſly diſcourſed His Siſter about the Reaſons and Things to which He had anſwered; and that She had told Him, She deſired only to be with Him Her Husband, and in His Company, as a Good Wiſe ought to be with Her Lord; and that the Amity between Her and His *Nephew Hugh le Deſpenſer*, was only feigned; yet it was convenient to keep it up to gain time, and avoid worſe things. Now I diſprove what She had ſaid to Her Brother of *France*; He reminded Him of what great Amity and Kindneſs She often pretended to *Hugh le Deſpenſer*, ſince Her being there; and then repeats the Intimacy between *Mortimer* and Her, and how She was wholly adviſed and directed by him, and did whatever he ordered, in the ſame Words and Manner as in the laſt Letter to His Son; and then deſires Him to reſtore the Dutchy of *Aquitain*, *&c.* to Him without having regard to the wilſul Humour of a Woman; and ſend Him His Pleaſure by the Bearer. This is dated at *Litchfield* the Eighteenth of *March*, on the ſame Day as before.

* Ibid.
The King again writes to the King of *France*; wherein He anſwers a Letter that he had writ to Him not long before.

In *April*, the King wrote to the Pope, and ſent him a Tranſcript of whatever had paſſed between Himſelf, the King of *France*, and His Siſter the Queen, and His Son, by way of Narrative; with the Copies of the Letters He wrote Them, and His Anſwer to what was reported of Him in *France*; heartily beſeeching His Holineſs to read and conſider them, and apply ſuch Remedy for the removing the Matter of Scandal and Diſſention, and the Dangers that might proceed from thence, as he ſhould think fit; promiſing wholly to be directed by his Advice. Given at *Kenelworth* the Fiſteenth day of *April*. Theſe Letters, tho' they were written in the Beginning of the next Year, yet I have put together under this; ſince they are all enter'd upon one and the ſame Roll in the *Tower*, and belong to this preſent Affair, and give a great Light to it.

Rot. Rom. 19. *Ed.* 2. M. 3.
The Purport of the King's Letter to the Pope about the ſame Affair.

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[3.] *T. W.* The King and Court are very Melancholy for fear the Queen and Baniſhed Noblemen ſhould come over without His Conſent.

[4.] *T. W.*

But it is time to look back to the Beginning of this Year; when we ſhall find [3.] King *Edward* kept His *Chriſtmas* at St. *Edmondſbury*, but with no great Splendor; the King and Court being very Melancholy, and much diſturbed for fear of the Queen's Return, and of thoſe Baniſhed Noblemen that were with Her; leſt they ſhould come over by the Aſſiſtance of *France*, with Forces, without the King's Conſent: Neither can I find, how the King ſpent His time before the Queen's Coming over; only that in General, He made what Preparations He could to prevent it, tho' it were all in vain; as will appear by the Event. For notwithſtanding all theſe Letters and Mediations above-recited, yet would She not truſt Her Self any more in *England*, until She could come over with Forces ſufficient to be revenged of the *Deſpenſers*, whom She looked upon as Her Enemies; and [4.] who (as was then reported) had procured the King to conſent to make away the Queen His Wife, and Prince *Edward* His Son; and that the Lord *John* of *Bretaigne* being then near Her Perſon, was to be the Inſtrument of it: Which being diſcover'd, and that She alſo perceived the Noblemen of *France* to have been corrupted by large Preſents from *England*, to Her Prejudice, and that there was no Safety to be expected for Her in the *French* Territories, She went away privately with Her Son and their ſmall Retinue, to the Earl of *Haynault*, by whom they were Honourably received.

The Queen thinking Her Self and Son to be in danger in *France*, retires privately to the E. of *Haynault*.

At what time Queen *Iſabel* left the Court of *France*, I cannot poſitively determine, ſince neither *Fraiſart* nor any other Author hath given us ſo much as the Month: But it appears by the foregoing Letters from the King Her Husband, that She was at the Court of *France* in *March*, and it is likely, She left it in *April* or *May* following. And as the Time of Her going is uncertain, ſo is likewiſe the Manner and Occaſion of Her quitting *France*, variouſly reported by the *French* Hiſtorians. For ſome of them relate, that Her Brother King *Charles*, either was not willing to join with the Queen of *England* in a new Quarrel, or elſe diſapproving Her Conduct, would not permit Her to ſtay longer in His Dominions; whereas ours relate, that She ſtole from thence for fear of being deliver'd up to Her Enemies.

* Vol. 1. c. 8.

The Barons of *England* not being able to endure the Inſolence of the *Spencers*, ſend privately to the Queen to come over with ſome Forces.

The King of *France* being bought off with large Preſents from *England*, quits His Siſter's Intereſt.

This is alſo confirm'd by * *Froyſart* the *Flemiſh* Hiſtorian, who ſays, he wrote his Chronicle from the Memoirs of Sir *John Lele* Chanon of St. *Lambart's* in *Leige*, one much in favour and very intimate with the Lord *John* of *Haynault*, the Earl's Brother; and thus relates this Tranſaction; That the Barons of *England* not being able any longer to endure the too great Power and Favour which the *Deſpenſers* had with King *Edward*, met privately, and reſolved for the future to agree better together; they thereupon ſent over privately to the Queen, (being then at *Paris*) letting Her underſtand, that if ſhe could come into *England* with a Thouſand Men at Arms, and bring Her Son and Heir with Her, they would all come over to Her and Her Son *Edward*. She ſhewed theſe Letters to the King of *France*; who promiſed ſuch Aſſiſtance, as well as to furniſh Her with Money. But as She was providing for Her Voyage, *Hugh le Deſpenſer* having notice of it, contrived with Preſents to buy off the *French* King; and ſent ſecret Meſſengers with Plenty of Gold, Silver, and Jewels, into *France*, and eſpecially to the King and His Council; inſomuch as He forbad under Pain of Baniſhment, that any of His Subjects ſhould aſſiſt the Queen to go into *England* by Force.

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But if the Chronicle of *Lanercoſt* may be credited, the *Deſpencers* were not contented with this, but alſo ſent privately a certain Fryar Minor called *Thomas Dunheved*, with another Companion of his, who Proſecuted a Divorce at *Rome* between the King and Her, though the Cauſe is not mention'd; but this is more certain which * *Froiſart* relates, That *Hugh le Deſpencer* the Son, out of his Malice to the Queen, and to get Her into his Power, cauſed the King to deſire the Pope that he would write to *France*, to ſend the King his Wife again into *England, for He would acquit himſelf to God and the World, that it was not his fault that She thus kept from Him*; and He would do nothing to Her, but expreſs all that Love and Conjugal Fidelity as was due to Her.

The *Deſpencers* ſend a Frayr to *Rome* to Proſecute a Divorce between the King and Queen.

* Ib. c. 8.

* Alſo that He ſent large Preſents of Gold and Silver to divers Cardinals and Prelates, who He thought had moſt Influence over the Pope; and they ſo prevailed upon him by their Subtle Perſuaſions, as to engage him to write to the King of *France*, that on pain of *Excommunication*, he ſhould ſend back His Siſter *Iſabell* into *England*, to the King Her Husband. Theſe Letters were brought to the King of *France* by the Biſhop of *Xantes*; and when he had read them, they were ſhewed to the Queen His Siſter; whereupon He commanded Her ſpeedily to depart His Kingdom, or otherwiſe He would make Her do it with Shame.

* Ib.

The King by his Preſents to Cardinals prevails upon the Pope to write to the King of *France* to ſend back the Queen.

And that by this means all the Barons of *France* were withdrawn from the Queen, except *Robert de Artois* Her Dear Couſin, who privately aſſiſted and encouraged Her by his Counſels; and gave Her Secret Intelligence, That Her Brother would deliver up both Her and Her Son, together with the Earl of *Kent*, King *Edward*'s Brother, and Sir *Roger Mortimer*, to the King and *Hugh le Deſpencer*; and therefore Adviſed Her to retire to *William* Earl of *Haynault*. This Earl received Her with great Joy at *Valenciennes*, and brought his Four Daughters, *viz. Margaret*, *Philippe*, *Jane*, and *Iſabel*, into Her and Her Son's Preſence. The Prince liked *Phillippe* beſt, and moſt frequented Her Converſation during his Abode there, which was till toward the latter end of this Year.

The Earl of *Artois* privately aſſiſts Her, and adviſes Her to retire to the Earl of *Haynault*; which She did.

And the Lord *John* of *Haynault* had ſo cordially eſpous'd Queen *Iſabel*'s Intereſt, that he not only raiſed Three Hundred Horſe for Her Service, but alſo engaged the Earl his Brother to declare for Her, on condition of a Marriage to be Conſummated between his Second Daughter *Philippe* and Prince *Edward*, then not Fourteen Years of Age; in conſideration of which, he was to furniſh the Queen with Two thouſand ſeven hundred Men at Arms, and a ſufficient Number of Veſſels to Tranſport them: Theſe preparations were making all this Summer, yet could not be got ready for Action untill the beginning of *Autumn*.

The Lord *John* of *Haynault* eſpouſes the Queen's Intereſt, and raiſes Men for Her Service; and engages his Brother to declare for Her on certain Conditions.

In the mean while we ſhall have leiſure to look back into *England*; Where the firſt publick thing I find the King to have perform'd in order to prevent this formidable Invaſion, was that upon the News of the great Preparations that were making againſt Him, He Iſſued out a Proclamation to this Effect:

The King Iſſues out a Proclamation againſt the Queen and *Roger Mortimer*, commanding all men to be ready to reſiſt them at their Landing.

The King to the Sheriff of Northampton, *Greeting*, &c. And then proceeds to recite, 'That ſince lately by the Aſſent and Requeſt of the '*Prelates*, *Earls*, *Barons*, and other *Great Men* of the Kingdom, He 'had ſent the Queen into *France*, to compoſe certain Differences with ‘the King Her Brother, concerning the *Dutchy* of *Guyenne*; and that afterwards when He (the King) was ready to go beyond Sea, He had upon divers Meſſages from the *Pope* and King of *France*, with the Aſſent of the *Earls*, *Barons*, &c. given His Son Prince *Edward* the ſaid *Dutchy*, who was thereupon gone over, and had done his *Homage* for it accordingly: And that notwithſtanding He the King had commanded the Queen and His ſaid Son to return home, yet neither would She come Her Self, nor ſuffer Her Son to return, but, as He had been inform'd by His Loyal Subjects that came from thence, That by the Evil Counſel of *Roger Mortimer*, His notorious Enemy and Rebel, and Others His Enemies and Rebels in thoſe Parts, with whom She (the Queen) had made Alliance; as alſo with certain People of thoſe Parts, and other Strangers, who were to come over by force with His Son *Edward* into *England*, to hurt and deſtroy the Good People of the Land, and to bring it into Danger and Subjection of the ſaid Aliens and Rebels, to His diſhonour, prejudice, peril, and diſinheritance of Himſelf, and His Crown, and the great damage and deſtruction of His People aforeſaid.

* Ib.

‘* Wherefore He, being willing to avoid the ſaid Perils, &c. firmly commands and enjoins the ſaid Sheriffs, That in all Places in his Bailywick he ſhould cauſe to be openly proclaimed and commanded on His behalf, That all Earls, Barons, Knights, and other Men of Arms, and Hobbelours, and other People on Foot ſhould be ready and equip'd to go with Force and Arms againſt ſuch Strangers and Enemies of Him and His Kingdom, as ſhould invade the Land, and arreſt and deſtroy them, whenever they ſhould hear or know of their Arrival; yet if the ſaid Queen and His Son ſhould come over in thoſe Ships which He would order for Them and Their Retinue, in Good and Obedient manner, according to His Will and Commandment, that then they ſhould receive them honourably and courteouſly, according to their *High Dignity*; but if they ſhould come in other Veſſels, and in a diſobedient manner, and againſt His Will, then He commands all His ſaid Subjects to treat the ſaid Aliens that ſhould come with them, and all ſuch as were of their Company, as Enemies to Himſelf and the Kingdom; the Perſons of His ſaid Queen and Son to be only ſaved and excepted; and concludes, That He will hold thoſe who ſhall be ready, and uſe their endeavour to do theſe Things, as His Good and Loyal Subjects; but thoſe that ſhall be negligent, and will not do their Duty, He will hold as His Enemies, and puniſh them as ſuch. Given at *Guywood* the Eighth of *February*.

* Ib. He ſends the like Writs to the Admirals of the *North* and *South* Seas, &c.

* In the like manner it was written to all the Sheriffs of *England*, as alſo to both the Admirals of the *North* as well as *South* of the *Thames*; as alſo to *Ralph Baſſet* of *Drayton*, Conſtable of *Dover*, and to the Wardens of the *Cinque-Ports*: Theſe laſt bear date at *Leiceſter*, the Sixth day of *March* enſuing.

[1.] Froiſ. Lib. 1. cap. 9. *T. W.*

The Queen and Prince attended by the Earl of *Kent* the King's Brother, and other Noblemen land near *Harwich* with a ſmall Force.

All things being now ready for the Queen's and Prince Her Son's Embarking for *England*, [1.] She took Ship at *Dort*, attended by *Edmund* Earl of *Kent*, the King's Brother, who had never been in *England* ſince his late Ambaſſy into *France*; for being diſcontented at the Greatneſs of the *Diſpenſers*, he had wholly joined with the Queen his Siſter-in-Law; but the Chief Conducter of this Expedition was the Lord *Roger Mortimer*, though there join'd with him many other *Engliſh* Noblemen, *Anno Dom.* MCCCXXVI

blemen, who had been either baniſhed, or elſe had voluntarily fled their Countrey; yet I think they need not be particularly named, for the *Reader*, if he pleaſes, may ſee them in *Henry de Knyghton*'s Chronicle; the Army was but ſmall, not amounting to Three thouſand Men, being commanded by the Lord *John* of *Haynault*, and ſome other Noblemen of that Countrey. The Queen with this ſmall Fleet and Army, after a long and dangerous Paſſage, landed at the Haven of *Orewel*, near *Harwich*, on the 22d of *September*, from whence marching up into the Countrey, was firſt met by *Henry* Earl of *Lancaſter*, Brother to the late Earl, and after by the Earl Marſhal, and other Barons and Knights, with almoſt all the Prelates, but chiefly with the Biſhops of *Lincoln*, *Hereford*, *Dublin*, and *Ely*; and there were ſome Others, as eſpecially the Archbiſhop of *Canterbury*, who though they did not appear in perſon, yet privately ſent in Money to Her aſſiſtance; ſo that with thoſe She brought, and the Forces that came daily into Her, they ſoon made up a conſiderable Army, which being muſter'd and refreſh'd at St. *Edmundsbury*, She marched forward (as She ſaid) *To ſeek out Her Own and the Kingdom's Enemies*, who had then taken ſhelter under the King's Protection.

The Earl of *Lancaſter* and ſeveral other Noblemen, Biſhops, and others aſſiſted Her underhand.

So [2.] ſoon as the King (who was then at *London*) heard of the landing of the Queen, Her Son, and ſo many Strangers, He was very much diſpirited; but to do all that could be done in ſo deſperate a Caſe, He iſſued out a Proclamation againſt *Roger Mortimer* and Others of his Confederacy; giving notice, That he and other Traytors had enter'd His Kingdom by force, and brought along with them many Aliens and Strangers, and uſurped Royal Power; and therefore He was reſolved to oppoſe them in Perſon, to arreſt and deſtroy them and all their Company and Adherents, as He ought, and might, except the Queen, His Son, and the Earl of *Kent*, whom He would by all means poſſible preſerve as ſafe as before their landing; and ſummon'd all Perſons in, that by their Liegance were obliged to come with all their Force and Power, in defence of Him, Themſelves, and the Kingdom; and for the eaſe of the People, He engaged to pay the Soldier's Wages, and alſo promiſed to all Great Men His Charters of Pardon for Felony or Adherence to His Enemies, as well in times paſt, as preſent; and for Outlawry for what cauſe ſoever, except the Traytor *Roger Mortimer*, and thoſe People that came from beyond Sea with him, and thoſe that killed Sir *Roger de Beler*; and then promiſed a Thouſand Pounds Sterling, and Pardon to any one that ſhould bring Him the Body or Head of *Roger Mortimer*. Given under His Great Seal at the *Tower* of *London* the Eight and twentieth day of *September*.

[2.] Id. Ib. The King upon the News of the landing of the Queen and Prince, with *Roger Mortimer*, and Foreign Forces, iſſues out a Proclamation to all His Subjects to come in and aſſiſt Him againſt them, and to take and deſtroy them all, except the Queen, Prince and the Earl of *Kent*.

The Queen, by the Advice of the Lord *Mortimer*, to be even with the *Deſpencers* for this Proclamation, not long after Her landing, iſſued out another to this effect; That all Men ſhould enjoy Peace and Quiet, except the Publick Enemies of the Kingdom, (*viz.*) the Two *Deſpenſers* Father and Son, and *Robert Baldock* the King's *Chancellor*, and their Favourers, who were the cauſe of the preſent Diſturbance of the Nation: that no Goods ſhould be taken from any, without the Conſent of the Owners; and if above the value of Three Pence (then a day's Wages for a Common Soldier) his Finger was to be cut off; nor Sixpence (the Wages of the *Hobelour*) under pain of his Hands being cut off. *Nec valorem Duodecim Sterlingorum*, &c. (which I may render

T. W. The Queen in revenge iſſues out a Proclamation againſt the two *Spencers*, and *Robert Baldock* the Chancellor, with a ſtrict Prohibition againſt plundering.

Twelve-

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Twelvepence the daily Wages of a Man at Arms) upon Pain of Death; and She was as good as Her Word, for Her Army did no Injury to the Bodies or Goods of any but Her Enemies, which She ſought out, and every where applied their Goods to Her Own Uſe, and plunder'd their Farms.

The Reaſons why the Nation was now in a Ferment againſt the *Deſpenſers*.

Therefore it was no great wonder that the King's Proclamation had no extraordinary effect, the Nation being at that time in a great Ferment by reaſon of the Cruel and Arbitrary Government of the *Deſpenſers*, many of the Nobility having been executed contrary to Law, and the Eſtates of ſeveral of them extorted by Violence from the Right Owners; of which you may find ſeveral Inſtances from the Records of that time, in * Sir *William Dugdale*'s Baronage: And beſides all this, the Biſhops and Clergy were highly diſcontented at the King's late Violent Proceedings againſt the Biſhop of *Hereford* (as you have already heard); ſo that although in compliance with the King's Will, the Archbiſhop, and divers Others of them had before declared againſt the Baniſhment of the *Deſpenſers* as unjuſt and illegal; yet when they found themſelves grieved and oppreſſed (as they ſuppos'd) by theſe Favourite's Procurement, thoſe very Biſhops took the firſt Opportunity (when they could do it with ſafety) to declare againſt them; and therefore I think Dr. *Brady* is miſtaken, 'when he imputes the People's taking part with the '*Queen*, to their having been prepoſſeſſed with Strange Notions and Jea'louſies concerning the *King* and both the *Spencers*, and the Great 'Things the *Queen* and *Mortimer* would do for *Holy Church* and the 'Kingdom. For I deſire any one who is at all vers'd in our Hiſtory, to ſhew me, that ever the *Engliſh* Nation made a General Defection from their King, and refuſed to aſſiſt Him, but when His Arbitrary and Tyrannical Government, either exercis'd by His Own Abſolute Will, or that of His Favourites or Miniſters, made the People ſenſible, that it was wholly deſtructive to their Civil Liberties and Religion. Therefore though what *Delamore* reports may be true, That the Biſhops and Clergy of the *Queen*'s Party, to bring in as many as they could into it, ſpread abroad a Lying Report, That the Pope had abſolved all *Engliſhmen* from their Oath of Fealty to the King, and had thunder'd out His Sentence of *Excommunication* againſt all thoſe that bore Arms againſt the *Queen*, which they alſo further confirmed, by pretending that there were two Cardinals in the *Queen*'s Army, who were ſent from the *Pope* for that purpoſe; yet without any ſuch Falſe Reports (which have been often the Means by which a weaker Party prevails over a ſtronger) it was eaſie to gueſs which ſide the People would take.

* Pag. 389.

As were alſo the Biſhops and Clergy againſt the K., and for what cauſe.

[3.] *T. W.*

The Anſwer that the *Londoners* made to the King's Letters to provide Him Aſſiſtance.

And this moſt evidently appears in the *Londoner's* Carriage upon this Occaſion; [3.] for when upon the News of the *Queen*'s being landed, the King ſent to them to provide Him an Aſſiſtance of Men and Money; after ſome deliberation they return'd Him this Anſwer, 'That 'they ſhould always reverence their Lord the *King*, the *Queen*, and 'their *Son*, the Lawful Heir of the Kingdom; that they ſhould ſhut 'their Gates againſt, and reſiſt, as far as they were able, all Foreigners 'and Traytors; yet declar'd, That they were not willing to march out 'of their City to fight, unleſs, according to the Liberties granted them, 'they could return the ſame day before Sun ſet. With which *Anſwer* the King not being at all ſatisfied, He preſently fortified the *Tower* of *London* with Ammunition and Victuals, and leaving therein His Young-

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er Son, *John* of *Eltham*, with the Wife of *Hugh le Deſpencer* the Younger, left *London*, and went into the Weſtern Parts of the Kingdom, with the Two *Deſpenſers* in His Company, to find out a place where they might raiſe an Army againſt the *Queen* and Her Party.

But before He left the Town (beſides the Proclamation already mention'd againſt *Roger Mortimer*) He Iſſued out Another, forbidding all Men upon pain of loſing Life and Eſtate, to Aſſiſt any of the Traytors and Enemies lately Landed, or ſo much as to Sell them any Victuals or Proviſions.

The King Iſſues out a Proclamation againſt any Man's aſſiſting the Traytors lately Landed.

This Proclamation had no better Effect than the former, for notwithſtanding this, the King's Party daily Decreaſed, and that of the Queen's as much Increaſed; wherefore He went down into *Gloceſterſhire* and ſo to *Chepſtow*, from whence He ſent *Hugh le Deſpenſer* the Elder to keep and fortify the Town and Caſtle of *Briſtol*; yet for all this the King not having about Him a ſufficient Force to reſiſt the Queen, He thought it His beſt way, together with *Hugh le Deſpencer* the Younger, *Robert Baldock* His Chancellor, and ſome few others, to betake themſelves to Sea, with a Deſign to paſs over to the Iſle of *Landy*, or elſe into *Ireland*; and how they came to be Diſappointed in it I ſhall tell you by and by.

The King's Forces deſerting Him, He with the Younger *Spencer* betakes him to the Sea, intending to paſs over into *Ireland*.

But I ſhall now return to the Queen, [4.] who coming firſt to *London*, after a ſhort ſtay there Marched thence with Her Son and a Great Army to *Oxford*, where the Biſhop of *Hereford* Preached before the Queen and Prince, declaring, That the cauſe of their coming was to Deſtroy Evil Government in the Kingdom. From thence She went to *Gloceſter*, where Her Army very much Increaſed by the coming in of the Lords *Piercie* and *Wake*, and Others of the *North* Parts and Marches of *Wales*.

[5.] Id. ib. The Queen came to *London*, and after a ſhort ſtay, Marches with Her Army to *Gloceſter*.

[5.] Whil'ſt the Queen was thus employ'd, the common People or Rabble of *London*, who (as my Author long ſince obſerves) *never want Fury whenever they have the Licenſe of being Inſolent*, gathering together the meaneſt ſort of Artificers, took Arms and ſeiſed their Mayor, threatening to Kill him if he would not Swear to conſent to their Orders; which he did to ſave his Life; and then they made a Confederacy, That the Qu's Enemies where ever they ſhould be found, or of what State or Condition ſoever they were, or ſuch as ſhould procure any Damage to the Liberties of the City, ſhould be put to Death.

[4.] Id. Ib. The ordinary Tradeſmen take Arms and ſeiſe the Mayor.

[1.] Under pretence of this Oath, they preſently took *John Marſhal*, Servant to *Hugh le Deſpenſer* the Younger; and without any more ado cut off his Head and Plunder'd all his Goods; and on the ſame day continuing their Rage and Madneſs, they ran to the Biſhop of *Exeter*'s Houſe, ſetting Fire to the Gates of it, and when they had got in and could not find him, they Plunder'd and took away his Jewels, Plate, and Houſhold-ſtuff; and he himſelf unluckily coming out of the Fields on Horſeback to the *North* Door of St. *Paul*'s, the incenſed People drawing him from his Horſe, Beat and Wounded him Unmercifully, and then dragg'd him into *Cheapſide*, where after they had proclaim'd him a Publick Traytor they cut off his Head. The reaſon of their Fury againſt this Biſhop, was, That being Treaſurer of the Kingdom he had perſwaded the King's Council that the *Itinerant* Juſtices might Sit in *London*, who found that the Citizens had Offended in many Things, for which they loſt their Liberties; ſome were Fined, and others had Corporal Puniſhments.

[1.] Id. Ib.

They Burn the Biſhop of *Exeter*'s Houſe, and take himſelf and cut off his Head.

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[2.] Angl.Sac. 1 Vol.fol.366.
A more particular Account of theſe Actions from an Author then living.

It may not be amiſs here to give you a further Account of the Manner of the Murther of this Biſhop, with ſome Eccleſiaſtical Tranſactions preceding the ſame, [2.] from *William de Dene* a Publick Notary of the Church of *Rocheſter*, who was living at that time; and he thus relates it. The Archbiſhop, Fifteen days after *Michaelmas*, intended to have held a Treaty with the Biſhops at St. *Paul's*, about ſending ſome of their own Order to the King and Queen, as Mediators of Peace between them: The Biſhop of *Rocheſter* (whoſe Name was *Hamon*) diſſwaded his going into the City, or beyond the *Thames*, to treat, being then at *Lambeth*; telling him, the Hearts of the People were then turn'd againſt the Biſhops, and that they hated them, imputing all the Evil that had happened in the Nation to their Slothfulneſs, Folly, and Ignorance. The next day they met at *Lambeth*, and reſolved to ſend Two: The Biſhop of *Wincheſter* was willing to go for One; but could not get a Companion. On *Wedneſday* before St. *Luke's* day, the Citizens met at the *Guild Hall*, where they contrived how they might take, and put to death the Biſhops of *London*, and *Exeter*, and the King's Juſtices; and how they might plunder the Merchants; taking this Occaſion of the Queen's coming over; becauſe thoſe that would not adhere to Her, were reputed Traytors to the Kingdom. And as the Biſhop of *Exeter* was flying for Sanctuary to St. *Paul's* Church, they caught him at the *North*-door, and having grievouſly wounded him, drew him thro' the Streets to the great Croſs in *Cheapſide*, where theſe *Sons of the Devil*, (as he calls them) beheaded a Faithful, Wiſe, and Diſcreet Man, and very Uſeful to the Nation. And further ſays, that the whole Kingdom then was in Confuſion; for the Turbulent calling *Peaceable Men the Queen's Enemies, who were under that Colour and Pretext plunder'd of their Goods.*

This Biſhop of *Exeter* Founder of *Exeter*-College, and *Hart-Hall.*

I have nothing elſe to add further concerning this Biſhop, *Walter Stapleton*; but that about Nine Years before, he founded *Exeter*-College in *Oxford*, as alſo *Hart-Hall*, not far from it.

[3.] *T. W.*
The Mob take away the Keys of the *Tower*, and let out all the Priſoners.

The [3.] next day after their Beheading of the Biſhop, the Mob or Rabble met by accident with Sir *John de Weſton*, Conſtable of the *Tower* of *London*, and taking from him the Keys by force, let out all the Priſoners; and beſides that, turn'd out the King's Officers, and put in others in the Name of the Lord *John* of *Eltham*, the King's Son, whom they made Guardian of the City and Kingdom. Yet did they not ceaſe ſtill to commit divers Ravages and Inſolencies. So likewiſe in other Places, all Perſons impriſon'd for Crimes againſt the State were diſcharg'd, and all Fugitives and Baniſhed Perſons return'd home.

The Queen iſſues out a Proclamation; with the Tenor of it.
[4.] Scriptor. X fol. 2764.

But to return to the Queen whom we left at *Oxford*. So ſoon as She came thither, She Iſſued out a Proclamation in Her Own and Her Son's Name, which may be found in the Plea, or [4.] the Defence which *Adam Dorlton* then Biſhop of *Wincheſter*, and formerly of *Hereford*, ſome Years after made for himſelf; ſetting forth, that he did then by the Command of His Lord the King that now is, (*viz. Edward* the *Third*) in the Preſence of Him the ſaid King, the Earl of *Lancaſter*, and other Noblemen, Publiſh the Tenor of certain Letters Patents, under all their Seals; ſetting forth the Cauſes of the ſaid King's and the Queen's his Mother's coming over, which were iſſued in Her Name in theſe Words: '*Iſabel* by the Grace of God, Queen ' of *England*, Lady of *Ireland*, Counteſs of *Pontiff* (or *Ponthieu*,)

'and

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'and We *Edward*, Eldeſt Son to the Noble King of *England*, Duke of *Guyenne* Earl of *Cheſter*, *Pontiff*, and *Monſtroil* (or *Monſtrevil*;) and We *Edward*, Son to the Noble King of *England*, Earl of *Kent*, to all thoſe to whom theſe Letters ſhall come, Greeting; Whereas 'tis notoriouſly known, that the State of *Holy Church*, and the Realm of *England* are many ways blemiſhed and abaſed, by the Evil Counſel and Abetting of *Hugh le Deſpenſer*, who by Pride, and a Deſire to Lord it, and ſet himſelf over all Others, hath taken upon him Royal Power, againſt Right, Reaſon, and his Allegiance; and in like manner made uſe of all the Evil Counſel of *Robert Baldock* and Others his Adherents, ſo that *Holy Church* is revil'd and ſhamefully put under great Subjection, and the Prelates thereof ſpoiled of their Goods, againſt God, and Right; *Holy Church* being defamed and diſhonoured many ways, and the Crown of *England* deſtroyed in divers manners, in diſheritance of Our Lord the King, and His Heirs, the Great Men of the Realm, by the Malice and wicked Cruelty of the ſaid *Hugh*; many of them without fault, and without cauſe, put to ſhameful Deaths; ſome diſherited, others impriſon'd, baniſh'd and exil'd; Widows and Orphans wrongfully forejudged of their Right, and the People of the Land, by divers Talliages and undue Exactions very often burthened, and by divers Oppreſſions grieved without Mercy; by which Offences the ſaid *Hugh* hath ſhewn himſelf an open Tyrant and Enemy to God and *Holy Church*, to our moſt Dear Lord the King, and the whole Realm; and We, and many Others, with Us, and in Our Company, who have long been eſtranged from the Good Will, or Favour of Our Lord the King, by the Falſe Suggeſtions and Evil Procurement of the aforeſaid *Hugh*, and *Robert*, and their Adherents, are now come into the Land, to raiſe the State of *Holy Church* and the Realm, and to defend the People from theſe Miſchiefs and Grievous Oppreſſions, and to maintain to our power the Honour and Profit of *Holy Church*, and Our Lord the King, and the whole Realm, as aboveſaid; wherefore we command and pray you, for the Common Profit of You and every one of You, to be aiding to us at all times, and in all places, and by all the ways you know or can, that the things aboveſaid may be ſpeedily brought to a good effect and end; for know certainly, that all We, and all thoſe with Us, will not undertake any thing but what ſhall be to the Honour and Profit of *Holy Church*, and of the whole Kingdom, as in time you will ſee and find, if God pleaſe. Given at *Wallingford* the Fifteenth day of *October*, in the Twentieth Year of the Reign of our moſt Dear Lord the King.

This *Declaration*, though dated a little before the Queen came to *Oxford*, yet the Contents thereof were not publiſhed, until it was done by the Biſhop of *Hereford* in the manner as is above related. But to return to the Matter:

[5.] From *Oxford* the Queen went to *Glocester*, and going from thence by *Berkley*-Caſtle, She reſtored that place to the Lord *Thomas de Berkley*, Heir of the Lord *Maurice*, lately deceaſed in *Wallingford* Caſtle, together with all things belonging to the Honour of *Berkley*, which Caſtle, with the Appurtenances, had been conferr'd upon *Hugh Spencer* the Younger; then the Queen with Her Army marched on, and beſieged the Town and Caſtle of *Briſtol*, which not being able to hold out againſt ſo great a Force, was ſoon ſurrender'd, together with the

[5.] *T. W.* The Queen leaves *Oxford*, and goes to *Glocester*, and at *Berkely* Caſtle reſtores that and the Honour to the righ Owner.

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The Caſtle of *Briſtol* taken, and the Elder *Spencer* is there Hanged.

* L. 1. Cap. 12. *Froiſſart*'s Relation of this Action.

Caſtle, of which *Hugh Spencer* the Elder, Earl of *Wincheſter*, was Governor; who the day following, to ſatisfie the Clamour of the Common People, was drawn and hang'd in his Coat of Arms at the Common Gallows without the Town. * *Froiſſart* relates this Action more particularly, and ſays, That the Earl being then near Ninety Years of Age, was brought before the Queen, the Prince, and the reſt of the Lords that were with Her, and being asked what he had to ſay for himſelf, reply'd thus to the Queen, *Ah, Madam, may God give us a Good Judge, and a Good Judgment, but if we cannot have it in this Life, we ſhall have it in another.* Then the Lord *Thomas Wake* (who was Marſhal of the Army) roſe up, and read a Writing containing all the Crimes laid to his Charge, and then turn'd and ſpoke to an Antient Knight who was on his Right Hand, that he ſhould bring in upon his Faith what Judgment had uſed to be given upon ſuch Perſons for the like Crimes; then this Knight applied himſelf to all the Barons there preſent, and reported their Votes or Opinions, which were, That he deſerved Death for the many horrible Crimes which were laid to his Charge, and which they held for clear and certain: and therefore he was condemn'd firſt to be drawn on a Hurdle, then beheaded, and afterwards hang'd upon a Gibbet, all which was executed upon him accordingly. And this is farther confirm'd by Sir *Thomas De la More*, who thus relates the manner of it; That the Bowels of this Noble Knight, his Arms and Legs being ſtretched out at length, were moſt inhumanly cut out of his Belly before his Eyes, and the reſt of his Body hang'd up upon the Gallows: Which I have taken notice of to ſhew, that the manner of Executing of Traytors at that time, was, to make hanging the laſt part of their Puniſhment, and not until they were dead.

The manner of his Condemnation and Execution.

Froiſſart miſtaken in the time of the Execution of the Earl of *Arundel*.

But though *Froiſſart* is right enough in this part of the Relation, yet he is certainly miſtaken in making the Earl of *Arundel* to have been condemned at the ſame time; as alſo in what immediately follows, *viz.* That the King and *Hugh Spencer* the Younger ſaw this Execution of his Father from the Caſtle of *Briſtol*, where they then were; and that thereupon one Morning early, they Two with a few in their Retinue, went privately on board a ſmall Veſſel behind the Caſtle to paſs into *Wales*, but that being repell'd by a Contrary Wind, he was taken not far from *Briſtol* by the Lord *John de Beaumont*; which is contrary to all our *Engliſh* Hiſtorians, as you will find by and by.

Upon this Succeſs, divers Cities and Towns ſent Meſſengers to the Queen.

* Rot. Clauſ. 20 *Ed.* 2. m. 3. Dorſ. Printed in Dr. *B*'s Append. num. 70.

Her Son the Duke of *Aquitain* is made Guardian of the Kingdom during the King's Abſence.

Upon this Succeſs (as *Polydor Virgil* ſays) the Cities of *Wincheſter*, *Salisbury*, *Bath* and *Wells*, and divers other neighbouring Places in the *Weſt*, ſent Meſſengers to the Queen to deliver them up to Her; and whilſt She thus continued at *Briſtol*, it appears by a * Record, that Her Son, the Duke of *Aquitain*, was by the *Common Conſent* of the *Great Men* of the Kingdom, made Guardian or Regent of it during the King's abſence, none there knowing what was become of Him: And I ſuppoſe it was in this Aſſembly that the Biſhop of *Norwich* was alſo appointed Chancellor, and the Biſhop of *Wincheſter* Treaſurer; though theſe Orders were ſoon alter'd; and *Walſingham* was miſtaken in making theſe things to have been done at *Hereford*; But this is more certain which he relates in the ſame Place; That from *Briſtol* the Queen went to the City laſt mentioned, where She ſtaid about a Month, and in the mean time She ſent the Lord *Henry* Earl of *Lancaſter*, and *Rees ap Howel*, a *Welſh* Clerk, (who knew thoſe Parts very well) into *Wales* with ſome Forces, for the diſcovering and ſeizing of the King's Perſon, where ever He ſhould be found, ſince there wanted only that to compleat Her Victory, whom they heard to have landed there lately, and to lie conceal'd ſomewhere in thoſe Parts: For indeed this Poor Prince having been at Sea in the Mouth of the River *Severn* for about a Week, and being perpetually beat back by contrary Winds, not being able to make the Iſle of *Lundy*, nor ſail over into *Ireland*, as He firſt intended, was forced to land in *Glamorganſhire*, and getting privately to the Abby of *Nethe*, there lay concealed among the Monks, until being diſcover'd by ſome *Welſhmen* of thoſe Parts, who were corrupted with Money, He was there taken with *Hugh le Deſpencer* the Younger, *Robert Baldock*, and *Simon de Reding*, and they were all committed to the Cuſtody of the Lord abovenamed, by the Advice of the Biſhop of *Hereford*, who then with the Lord *Roger Mortimer* govern'd all Affairs.

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The Queen ſends the Ld *Henry* of *Lancaſter* to find out and ſeize the King.

The K. having been for near a Week at Sea, Lands in *Glamorganſhire*, and lies hid in the Abby of *Nethe* till he was diſcovered by ſome *Welſhmen*.

He and *Hugh Deſpencer*, and *Robert Baldock*, are all taken together.

But before we proceed further, I cannot but take notice of that Memorable * Record already cited, which ſets forth the Civil Tranſactions relating to the Government, during the King's Abſence and Concealment, when it was ſuppos'd that He had left *England*, and quitted the Government in the Company of the Perſons abovemention'd, open Enemies to the Queen, and the Prince Her Son; whereupon on the ſix and twentieth Day of *October*, at *Briſtol*, the Archbiſhop of *Dublin*, the Biſhops of *Wincheſter*, *Ely*, *Lincoln*, *Hereford*, *Norwich*, and other Prelates, and *Thomas* Earl of *Norfolk*, *Edmund* Earl of *Kent*, the King's Brother, *Henry* Earl of *Lancaſter* and *Leiceſter*, *Thomas Wake*, *Henry de Beaumont*, *William de la Zouche de Aſhby*, *Robert de Montalt*, *Robert de Morley*, *Robert de Wattevile*, and Other Barons and Knights, in the Preſence of the Queen, and Duke of *Aquitain* Her Son, by the Conſent of the whole * *Community* of *England*, then preſent, unanimouſly choſe the ſame Duke to be Guardian of the Kingdom, ſo as the ſaid Duke and Guardian ſhould govern the Kingdom in the Name and Right of the King His Father, in His Abſence: And he took the Government of the Kingdom upon him accordingly, and paſſed all Matters under his Privy Seal, not having any Other. Then afterwards on the Twentieth of *November*, when the Queen's and Duke's Enemies were taken, and the King was return'd into His Kingdom, the ſaid Queen, Duke, Prelates, and Noblemen, with the Aſſent of the *Community* aforeſaid, then being at *Hereford*, by reaſon that the Power of the Guardian ceaſed by the King's return into His Kingdom, ſent the Biſhop of *Hereford* to the King, who was then at *Monmouth*, to beſeech Him to command, That all things that might tend to the Peace of the Kingdom, might be ſealed with the Great Seal, which was at that time with Him: This was done in the preſence of the Earl of *Lancaſter*, and Mr. *Thomas Chaundois*, Archdeacon of *Hereford*: Thereupon the King, after ſome deliberation, was prevail'd with to ſend the Seal by Sir *William Blount*, in the Company of the ſaid Biſhop, to His Wife, and Son, to ſee what they would do with it, which they carry'd accordingly; and the Seal remain'd for the moſt part in the Cuſtody of the Prince and the Lord *Roger Mortimer*, 'till the Biſhop of *Hereford* was made Chancellor, as appears by the ſame Record.

* Rot. Clauſ. 20. *Ed.* 2. m. 3. Dors.

An Account of the reſt of the Tranſactions, during the King's Abſence and Concealment; as alſo after it, His Diſcovery.

* This was ſo recited for Form's ſake, for this Aſſembly was no Parliament, but a great Council of the Barons and Knights of the Queen's Party.

The King ſends the Great Seal to his Wife and Son.

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[1.] *I. W.* The King is ſent to the Caſtle of *Kenelworth.*

Hugh Spencer the Younger is Executed.

[1.] Whilſt the Earl of *Lancaſter* was conveying the King out of *Wales*, by *Monmouth* and *Ledbury* in *Herefordſhire*, and other Places, to His Caſtle of *Kenelworth* in *Warwickſhire*, where He ſpent the Winter, they ſent *Hugh Spencer* the Son, *Robert Baldock*, and *Simon Reding* to the Queen at *Hereford*, but before their coming, the Earl of *Arundel*, *John Daniel*, and *Thomas Micheldene* had their Heads ſtruck off by the procurement and hatred of *Roger Mortimer*, who was at this time the Queen's moſt Familiar Counſellor, and without whom She ſcarce did any thing: Thoſe that brought *Hugh Spencer*, had for their Reward Two thouſand Pounds, as She had promiſed, and ſoon after he was adjudged to Death, without being put to anſwer, and was drawn, and hang'd upon a Gallows fifty Foot high, and then quartered, and his Head fixed upon *London-Bridge*. On the ſame Day *Simon Reding* was drawn and hanged for ſpeaking hard things of the Queen.

A more particular Account of his Execution from *Froiſſart.*

Tho. Walſingham differs from himſelf in this Relation concerning *Hugh Spencer*, and ſays, That he was not taken with the King, but that he betook himſelf to the Caſtle of *Caerfillei* in *Glamorganſhire*, (of which he was Governor) and that it being well mann'd and victualed, he held out till Eaſter, when he ſurrendered it unto the Soldiers of the King and Queen, upon Condition of having the Lives and Eſtates of thoſe that defended it ſaved and preſerved; which ſince it is in no other Hiſtorian, I much doubt the truth of; only this is certain, that he was condemned to death without any Anſwer or Defence, and executed at *Hereford* (as hath been already related). But *Froiſſart* gives a more particular Account of this Affair, and ſays, That this Nobleman being taken about the Feaſt of *All Saints*, was brought before the Queen and the reſt of the Barons and Knights, being then at *Hereford*; where his Accuſation being publickly read before him, and he having nothing to object againſt it, he was by them condemned to the ſame Puniſhment that his Father was, which was cruelly executed upon him; his Body being ſtretched out upon a Ladder in the preſence of all the Spectators, his *Privy Members* were firſt cut off, and burnt before him; for which our *Author* gives a Reaſon; which if the Reader cannot gueſs, it is ſo filthy and ſcandalous to this King's Memory, that I ſhall not recite it, but proceed. Then his Heart and Bowels being taken out and burnt, and his Head cut off, his Body was left to hang upon the Gibbet in the ſame manner as his Father's had been before: With which * *Henry de Knyghton* very much agrees; Who relates, that *Hugh le Deſpencer* the Younger was arraigned before Sir *William Truſſel*, Juſtitiary, who made a long Speech to him at his Condemnation, containing all the *Articles* laid to his Charge; which being very long, is thus contracted by Dr. *Brady*, from that *Author*.

* Col. 2547, 2548. The Manner of his Arraignment.

The Speech made to him by Sir *William Truſſel.*

'*Hugh le Deſpencer* know, that in the *Parliament* at *Weſtminſter*, in 'the Fifteenth Year of the King, your Father and your ſelf were awarded Traytors and Enemies of the Realm, and baniſhed as ſuch, never to 'return without the aſſent of the King in full *Parliament* duly ſummoned; 'contrary to which *Award*, your Father and you *Hugh* were found in the 'Court without Warrant; and you *Hugh*, as you returned into the Kingdom, feloniouſly ſpoiled and robbed two *Domands*, (*i. e.* Merchants 'Ships ſo called) of Goods to the value of Forty thouſand pounds; 'then *Hugh* after this Felony, you came to the King, and cauſed Him 'to go with Force againſt the *Peers* of the Realm, and Other His Liege People,

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‘People, to deſtroy and diſherit them, contrary to the Great Charter; and alſo taking upon you Royal Power, you *Hugh*, and your Aſſiſtants, with Force and Arms, robbed feloniouſly the Good People of the Realm, and by *Andrew Harclay* and other Traytors your Adherents, murthered the good E. of *Hereford*, Mo^{r}. *W. Sullee*, and Monſieur *Roger de Berfelde* (at *Borough-Bridge*;) and cauſed to be taken the moſt Honourable Lord *Thomas* the good Earl of *Lancaſter*, and cauſed him to be judged by a falſe Record againſt Law, Reaſon, and the Great Charter; and alſo to be murther'd, martyr'd, and put to a Cruel Death: Alſo in the ſame * March (*viz.* to *Borough-Bridge*) you cauſed many of my Lords, (*i. e.* the Earl of *Lancaſter*) Barons, and Knights, to be drawn and hang'd by falſe Record, againſt Law and Reaſon, and cauſed other Great Men to be put in Priſon, and murthered to get their Eſtates, as *Roger Mortimer* the Nephew, and Uncle, and *Hugh Audeley*, Father and Son. After this Deſtruction of the Nobility, you *Hugh* with your Father, and *Robert Baldock*, uſurping Royal Power over the King, led Him and His People into *Scotland* againſt His Enemies; where you, *Hugh*, by your Trayterous Conduct, cauſed Him to loſe Twenty Thouſand of His People, to His great Diſhonour, and Damage of the Realm, and to return without doing any thing.

‘*Hugh*, neither would this Treaſon nor Tyranny ſatisfy you, until by Royal Power gained over the King, you deſtroyed the Franchiſes of Holy-Church, and the Prelates, as the Biſhops of *Hereford*, *Lincoln*, and *Norwich*; taking their Goods out of their Churches: And whereas you knew, God had done great Things by my Lord (the E. of *Lancaſter*) whom you cauſed to be murthered; you placed Armed Guards, and ſhut the Church-doors, that none ſhould enter to honour God and his Saints. *Hugh*, after theſe Miſchiefs, you adviſed the King to give unto the Falſe Traytors, the Earl of *Wincheſter*, *Andrew Harclay*, and your ſelf, Lands properly belonging to the Crown, in Diſheriſon thereof. *Hugh*, whereas the Queen and Her Son paſſed beyond the Sea by the King's Command, to ſave the Country of *Guyenne*, in danger to be loſt by your Trayterous Counſel; you ſent over a great Sum of Money to ſome of your wicked Adherents, to deſtroy the Queen and Her Son, who is Right Heir of the Kingdom; and to hinder their coming over. *Hugh*, your Father, *Robert Baldock*, your ſelf and other falſe Traytors, your Adherents, taking upon you Royal Power, made Great and Small by force to ſwear to, and aſſure you, to maintain you in your falſe Quarrels or Pretences; not having regard, that ſuch Confederacies were Falſe and Trayterous againſt Legiance, and the State of the King and His Crown; and foraſmuch as you *Hugh* and other Traytors, knew, that the Queen and Her Son were arrived in the Nation, by your evil Counſel, you cauſed the King to withdraw Himſelf, and go from them, and carried Him out of the Kingdom, to the danger of His Royal Perſon, and Diſhonour to Him and His People; feloniouſly taking with you the Treaſure of the Realm, contrary to the Great Charter.

‘*Hugh*, you are now found a Traytor; wherefore all the Good People of the Kingdom, Great and Small, Rich and Poor, by common Aſſent, do award, That you are found a Thief, and therefore ſhall be hanged; and being found a Traytor, ſhall therefore be drawn

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* In the *French Journey.*

'and quartered: And for that you have been outlaw'd by the King, 'and by common Aſſent, and return'd to the Court without Warrant, 'you ſhall be beheaded; and for that you abetted and procur'd Diſ'cord between the King and Queen, and others of the Realm, you 'ſhall be embowell'd, and your Bowels burnt. Withdraw, Traytor; 'and ſo go take your Judgment, attainted, wicked Traytor. This Sentence was executed upon him on the Four and Twentieth of *November*.

* Comp. Hiſt. p. 161.

Some Miſtakes of Dr. *Bradies* confuted.

* 1 Vol. p. 393.

* Rot. Parl. 21. Rich. 2. n. 55.

*Dr. *Brady*, from the Authority of Sir *Thomas de la Moor*, calls this *Hugh Spencer* Earl of *Gloceſter*; in which I doubt not but he is miſtaken; for I do not find him ſtiled ſo by any other Author: And tho' perhaps he might have that Title given him by the Courteſie of his Creatures and Favourites, as having married *Eleanor* the eldeſt Daughter of the ſaid Earl; yet that he was never created ſo by any Charter, or Inveſtiture, is agreed by * Sir *William Dugdale*, in his Baronage of *England*: And he is alſo ſtil'd no otherwiſe than *Hugh le Deſpenſer* the Younger, in the * Act of Parliament for the Reverſal of his Attainder, which was paſs'd in the Twenty Firſt Year of *Richard* the *Second*, whereby *Thomas le Diſpenſer* his great Grandſon was not only reſtor'd in Blood, but created Earl of *Gloceſter*.

* Ib.

Of the Attainder of *Hugh Spencer* the Younger.

*The Dr. alſo ſeems to be miſtaken, when he ſays further, that the ſaid *Hugh* was never tryed by a Common Jury, or by his Peers the Barons; the former of which was improper, he being a Peer; but that he was call'd to anſwer before the Duke of *Aquitain*, and the Barons of *Hereford*, appears by *Froiſſart*'s Account of theſe Proceedings, as hath been already recited; and therefore this Sir *William Truſſel*, as ſupplying the Place of Chief Juſticiary of *England*, might in the name of all the Barons there preſent, make this Speech, and pronounce the Sentence of Death upon him: And the Reader may further obſerve, that the Reaſons given in the ſaid Statute of King *Richard* the Second aforeſaid, for the Reverſal of his Attainder, were chiefly, becauſe it was againſt *Magna Charta*, that any Man ſhould be exiled, tryed, or otherwiſe deſtroy'd, without Judgment of his Peers; alſo becauſe the Repeal of the Statute of *Edward* the Second, for his Reſtoration, was made in the Firſt Year of *Edward* the Third, when his ſaid Father was yet living, and tho' ſtill very young, could not reſiſt the ſame. But of this we ſhall ſay more, when we come to the Reign of K. *Richard* the Second.

The Taking and Execution of *Edmund* Earl of *Arundel*.

* Col. 2545.

I ſhall now proceed to give ſome Account of what became of the reſt of thoſe Great Officers and Noblemen that ſuffer'd in this Unhappy Quarrel: For tho' *Walſingham* relates, that *Edmund* Earl of *Arundel* was beheaded, before *Hugh le Deſpenſer*; yet * *Henry de Knyghton*, from the more Antient Chronicle of his own Houſe, (which he ſtill cites under the Title of *Leiceſtrenſis*) gives a more full Account of it, and the Crimes laid to his Charge, *viz.* That *Edmund* Earl of *Arundel* being taken (not long after the King) by Sir *John Charleton*, in *Shropſhire*, was brought before the Queen and Great Men at *Hereford*; where it was laid to his Charge, That having married his Son and Heir to the *Daughter* of *Hugh le Deſpenſer*, he had been privy to his Counſels, and had done the Queen much Prejudice in Her abſence, and had alſo procured the Death of *Thomas* late Earl of *Lancaſter*, with that of *Adomar de Valence* Earl of *Pembroke*, who was ſuppos'd to be poyſon'd

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in *France*: Wherefore the ſaid Earl was condemned to be drawn and hang'd, together with *John Daniel* an Eſquire of his, whoſe Advice he had followed more than he ought.

[2.] *T. W.* *Robert Baldock* being Committed to Priſon, is pull'd out from thence, and ſo Beaten by the Rabble that he Died; with his Charactea.

As [2.] for *Robert de Baldock* the King's Chancellor, he being carried from *Hereford* to *London*, was there treated very ſeverely by the Rabble; but notwithſtanding he was committed to the Biſhop of *London's* Priſon for his Security, yet he was, about *Candlemaſs*, pulled out from thence by ſome of the Common People of *London*; as being (they thought) not kept ſafe enough; and as they carried him to *Newgate*, they beat him ſo cruelly by the way, that he died not long after by his Bruiſes, in great Torment. This Man hath a very bad Character by all our Hiſtorians, as a corrupt Miniſter, and Inſtrument of all the *Deſpenſer's* Enormities, and is called in our Antient *Engliſh* Writers *that Falſe and* Peiled *Clark*; I ſuppoſe, becauſe of his Shaven Crown, as being Arch-deacon of *Middleſex*, and in Prieſt's Orders. But to return to the King his Maſter.

This Unfortunate Prince being about the third of *December* at *Ledbury*, is ſuppos'd to have iſſu'd out a * Writ for Proroguing the Parliament, which had been ſummon'd to meet Fifteen days after the Feaſt ‘of St. *Andrew*, (or Fifteenth of *December*.) And in this Writ it is recited, That it was to be holden by *Iſabel* Queen-Conſort of *England*, ‘and *Edward* his Eldeſt Son, Guardian of *England*, the King being at ‘that time out of the Kingdom. Then follows the Proroguing that Parliament to the morrow after *Epiphany*, or Twelfth-day; to be holden by Him, if perſonally preſent, or in His Abſence, by His ſaid Conſort and Son. Dated at *Ledbury*, on the Third of *December*, with His *Teſte* to it. Tho' it appears by the * Record here cited, that the Unfortunate King knew nothing of the Sealing of this Writ, having already parted with the Great Seal to the Queen and Prince, who had a little before delivered it to the Biſhop of *Norwich*, then on his Journey to *Woodſtock*; where he again deliver'd it up to the Prince, and the Lord *Roger Mortimer*: So that the Place where theſe Writs were Seal'd is very uncertain, tho' the matter is not much, ſince there is no Averment againſt the Record.

* Rot. Clauſ. 20. *Ed.* 2. m. 4. Dors.

The Parliament is prorogued to the Morrow after *Epiphany* in the King's Name, but without his Conſent.

* Printed by Dr. *B.* in *Apen.* n. 71.

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[3.] *T. W.* The Queen with great Officers of the Kingdom keep *Chriſtmas* at *Wallingford* Caſtle, and thence removes to *London.*

This being the laſt Year of King *Edward* the *Second's* Reign, the [3.] Queen with the Prince Her Son, the Archbiſhops of *Canterbury* and *York*, the Biſhop of *Wincheſter* Treaſurer, and the Biſhop of *Norwich*, Chancellor, together with the Biſhops of *Ely*, *Coventry*, and *Hereford*; and other Prelates, Peers, and Noblemen of the Kingdom, kept their *Chriſtmaſs* at *Wallingford*-Caſtle with great State and Magnificence; the King ſtill remaining a Priſoner at *Kenelworth*. So ſoon as the Feſtival Solemnity was over, the Queen with all the reſt of the Company removed to *London*, where She was received with great Joy, and many rich Preſents. Then on the morrow after *Epiphany*, * the whole Nobility of *England* met at *Weſtminſter*, according to the late Summons, where divers Articles of Miſ-government being brought in againſt King *Edward*, it was there unanimouſly agreed, That He ſhould be depos'd, and His Eldeſt Son *elected* King in His Room. * The Articles abovemention'd were certainly enter'd on the Parliament-Roll, but being now taken off the File, are not any where to be found, unleſs in the aforeſaid [4.] Anſwer or Defence of *Adam de Orleton* then Biſhop Elect of *Wincheſter*; which are thus tranſlated from the *French* Original.

* *Tota Nobilitas Angliæ*, here ſignifies the Commons, as well as the Lords.

* The Acts of this Parliam. at *Weſtminſter*.

[4] Script. X. Col. 2765, 2766.

Firſt,

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Articles of Male Adminiſtration againſt the King brought into Parliament.

'First, That the Perſon of the King was not ſufficient to Govern; 'for in all His time He was led and governed by others, who gave Him 'evil Counſel, to the Diſhonour of Himſelf, and Deſtruction of Holy 'Church, and all His People; not conſidering or knowing whether it 'was Good or Evil; nor would He remedy theſe things, when He was 'requeſted by the Great and Wiſe Men of this Realm, nor ſuffer them 'to be amended.

2. Alſo, in all this time, He would not give Himſelf up to good 'Counſel, nor take it, nor mind the Good Government of His Kingdom; but always gave Himſelf to Employments not convenient; 'neglecting the Buſineſs of His Realm.

3. 'Alſo for want of Good Government, He loſt the Kingdom of '*Scotland*, and other Lands and Dominions in *Gaſcoigne* and *Ireland*, 'which His Father left Him in Peace and Amity with the King of '*France*, and many other Great Perſons.

4. Alſo, by His Pride and Cruelty, He had deſtroyed Holy-Church, 'and the Perſons of Holy-Church: putting ſome in Priſon, and others 'in great Diſtreſs; and He had alſo put to ſhameful Death, and impriſoned, baniſhed, and diſherited many Great and Noble-Men of 'the Land.

5. 'Alſo, whereas He was bound by His Oath to do Right to all, 'He would not do it for His own Profit, and the Covetouſneſs of 'Him and His Evil Counſellers who were with Him; neither regarded the other Points of the Oath which He made at His Coronation, as He was obliged.

6. 'Alſo He abandoned His Realm, and did as much as in Him lay, 'to deſtroy it, and His People; and what is worſe, by the Cruelty, 'and the Defaults of His Perſon, He is found Incorrigible, without 'Hopes of Amendment. All which Things are ſo Notorious, they 'cannot be gain-ſaid.

*Ib.

The manner of King *Edward's* Reſignation of the Crown.

* Theſe Articles were indited and dictated by *John Stratford*, Biſhop of *Wincheſter*, and Treaſurer of *England*; and written by *William Mees* Clerk, His Secretary; and a Publick Notary having approved the Articles, they were by Common Agreement ſent to the King then a Priſoner in *Kenelworth*-Caſtle, by *John Stratford* the aforeſaid Biſhop, *Adam de Orleton* Biſhop of *Hereford*, and *Henry Burwaſh* Biſhop of *Lincoln*, together with Two Earls, Four Barons, and Three Knights of every County; as alſo ſome of the Citizens and Burgeſſes for *London*, the *Cinque-Ports*, and other Cities and Towns of *England*, who in the Name of them all, were to reſign their Homage and Fealty to the King; and ſhould give Him notice of the Election of His Son, and ſhould procure His *Voluntary Reſignation* of the Crown; or otherwiſe they ſhould render up their Homages; and proceed as they ſhould think fit. The reaſon of which Proceeding was, [1.] that the Queen ſeem'd very much grieved at this Sentence againſt Her Huſband; and the young Prince affected with this outward Paſſion of His Mother, would not accept the Title againſt His Father's Will; and therefore the King's precedent Reſignation was thought neceſſary for their better Satiſfaction.

[1.] *T. W.*

Another Relation of it from *De la More's* Hiſtory, not probable in all points.

And Sir *Thomas de la Moor* hath ſhewn us by what means this *Reſignatiin* was obtain'd; as that the Biſhops of *Wincheſter* and *Lincoln* came before the reſt to the King, to bring Him to it: And theſe together with

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with the Earl of *Lancaſter*, His Keeper, perſuaded Him to reſign His Crown to his Son; and the more to induce Him to it, promiſed Him as much Honour after His *Reſignation* as before; and on the other hand threatned Him that if He would not, the People would yield up their Homage and Fealty, and paſs by His Sons, and chuſe One not of Royal Blood. But this, by the way, ſeems not very probable, ſince the Earl of *Lancaſter* was next Heir to the Crown, after the King's Children; and therefore, I ſay, it is not likely, that he ſhould make that a Motive for the King's *Reſignation*. But be that Part of the Meſſage as it will, the reſt of it is likely enough, That they promiſed Him Safety as to His Perſon, with a large and handſom Allowance for the Support of His Dignity. All which Motives prevail'd ſo far with Him, that He was brought to conſent to their Propoſal, and to make His *Reſignation* accordingly: The Manner of which being very Grave and Solemn, I ſhall give it you at large from the ſame * Author; who relates, That the Biſhop of *Hereford* having introduced all the ſaid Commiſſioners of Parliament, the King came out to them from His Bed-Chamber in a Mourning-Gown; and as ſoon as He heard their Meſſage, fell in a Swoon, and had fallen to the ground, had He not been ſupported by the Earl of *Lancaſter*, and Biſhop of *Wincheſter*: But theſe Circumſtances Dr. *Brady* hath omitted, (I ſuppoſe) becauſe he thought it would leſſen the Character of this Prince, whom he doth all he can to heighten; and only ſays in general, that the whole Matter they came for was diſpatched, not without great Grief and Reluctancy from the King.

Yet the reſt of it being more full than any other, is credible.

And tho' the Dr. from *Thomas* of *Walſingham*, hath given us the Manner of this *Reſignation*, yet he hath curtail'd the King's Anſwer to theſe Commiſſioners; and therefore I ſhall from the ſame Author truly recite this whole Tranſaction. The King having heard the Meſſage of the Commiſſioners, whereby they demanded the *Reſignation* of His Crown; anſwered with Tears in His Eyes, *That He was very ſorry that He had ſo misbehaved Himſelf towards His People, and asked pardon for it of all that were there; but ſeeing now it could not be otherwiſe, He return'd them thanks for Electing His Firſt-born Son in His room*: And then made His *Reſignation*, by delivering up the Royal Enſigns of Sovereignty; by which, I ſuppoſe, he means the Crown and Scepter, which were then brought thither for that purpoſe. Then Sir *William Truſſel* (whether as a Member of Parliament, for he was certainly a Commoner, and no Peer; or as ſupplying the Place of Chief Juſtice of *England* I cannot determine) was order'd by the whole Parliament to pronounce their *Reſignation* and Homage to the King; which he did in this Form. [2.] '*I* William Truſſel, *Procurator of the* '*Prelates, Earls, and Barons, and other People in my Procuracy named,* '*having for this full and ſufficient Power, do ſurrender, and deliver up to* '*You* Edward, *King of* England, *before this time, the Homage and Fealty of the Perſons in my Procuracy named, in the Name of them, and* '*every of them, for certain Cauſes therein mentioned; and do return them* '*up to You* Edward, *and acquit or diſcharge the Perſons aforeſaid, in the* '*beſt manner that the Law and Cuſtom can give it: and do make this* Proteſtation *in the Name of all thoſe that will not for the future be in Your* '*Fealty, or Allegiance, nor claim to hold any thing of You, as King; but* '*account You as a private Perſon, without any manner of Royal Dignity.*

Dr. *Brady* too ſhort in this Relation of the King's Anſwer to the Commiſſioners ſent by the Parliament.

A full Account of it from *Walſingham*.

The manner of Sir *William Truſſel's* Surrendring up the Homage in the Name of the whole Parliament.

* *Tho. de la Moor.* Ib.

[2.] H.K. Col 2550.

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* *Plebi.* Dr. B. p. 163. here tranſlates this word by *Rabble*, which in all other places he renders People or Laity; the reaſon of which is plain enough.

Whereupon the Commiſſioners returning to the Parliameet at *London*, with the King's Anſwer, and the Royal Enſigns, made the * Common People rejoice; and preſently the whole Community of the Kingdom admitted *Edward*, a Youth of Fourteen Years of Age, to be their King Whoſe Admiſſion and Coronation, ſince it properly belongs to the next Reign, I ſhall, until then, refer further to Treat of; and with the late King's Abdication of the Royal Power ſhall conclude this Reign; and from the Writers neareſt that time, give a brief Character of his Perſon and Diſpoſition.

* Lib. 7. c. 41.

A Deſcription of K. *Edward*'s Perſon; with a Character of His Diſpoſition.

‘* *Ranulph Hygden* in his *Polychronicon*, deſcribes Him to be very handſome and well made, and of a healthy and ſtrong Conſtitution; but very fickle and inconſtant, often changing His Reſolutions, and that moſt commonly for the worſe; for not regarding the Company of His Nobility, He preferr'd Jeſters, Singers, Players, Rowers, and other Mechanicks; and being given to Drink, then eaſily betray'd His Secrets; often ſtriking thoſe about Him for a ſmall Offence; and followed the Advice of others more than his Own: He was Prodigal in His Gifts, Splendid in His Entertainments, Ready in Promiſing, but Uncertain in Performing, Unfortunate againſt His Enemies, Severe to His Domeſticks, ſtill fixing His Affections upon one Favourite, whom He alone loved, enriched, prefer'd, and honour'd; which Weakneſs tended to the Diſgrace of Himſelf, the Reproach of the Favourite, the Scandal of the People, and Detriment of the Kingdom. He alſo advanced very unfit Perſons to Eccleſiaſtical Dignities; which afterwards proved Thorns in the Sides of the Church. In His time there were frequent Contributions of the Clergy, and indeed a continual Squeezing both of them and the Laity; and when by the permiſſion of the Pope, a great deal of Money came into the King's Coffers, for His War againſt the *Scots*, yet by His ill Management it was often vainly ſpent, and laviſhed away.

Whether He made good this Character thro' all Parts of His Reign, I ſhall not affirm; yet that He gave Himſelf up to be wholy governed by His Favourites, who made uſe of the Eaſineſs of His Nature, to the great Abuſe of His Royal Power, hath been already ſhew'd; and tho' the Nobility might often deal too roughly with Him, in making Him baniſh His Favourites whether He would or not, and in cutting off the Head of *Gaveſton*, contrary to his Command; yet did they not proceed to theſe Extremities, until they found that no Laws nor Remonſtrances whatſoever had any effect upon Him: And tho' it muſt be confeſs'd, they dealt very rigorouſly and unjuſtly with Him, in thus *depoſing* Him for the Offences and Miſcarriages of others, His Officers and Miniſters; and perhaps beyond, if not contrary to the Intention of ſeveral of the Biſhops, Lords, and Commons, that firſt took part with the Queen and Prince at their Landing: Yet it is very eaſie and natural to ſuppoſe, that the Queen and Her Favourite the Lord *Mortimer*, together with the Earl of *Lancaſter*, and Biſhop of *Hereford*, and ſome others that had ſuffer'd either in their Fortunes or Relations, or had been in danger of their Lives, by reaſon of the cruel and ſevere Government of the *Deſpenſers*; when all theſe call'd to mind the great Turn of Affairs that had happened after the Execution of the Earl of *Lançaſter* and his Adherents, they could not but be afraid of the like *Revolution* of Fortune; and therefore could not think themſelves ſecure, until He was deprived of all Power of doing them any Hurt again: And this made ſome of them who were of a more cruel and ſuſpicious Nature, never to think themſelves ſafe ſo long as He was alive; which not long after brought on His Deſtruction, as you will find in the Sequel.

But to give this Prince his due, tho' He was Raſh and Paſſionate, yet that He was in His own Nature merciful, appears by His lamenting the Death of His Couſin the Earl of *Lancaſter*, and by pardoning the Lives of ſeveral of the Lords, that had been in Arms againſt Him, tho' He kept their Eſtates. He ſeems alſo to have been Continent as to Women, ſince we do not read of any Miſtreſs, or Baſe Iſſue He had. However ſome of the Writers of that time, make Him Guilty of a worſe Vice, which ſince I do not believe to be true, I ſhall not further mention. But He was certainly of a Charitable and Publick Spirit; as appears not only by His founding the Abbey of *Langly*, to pray for the Soul of *Pierce Gaveſton*; * but at the Perſwaſion of *Adam de Brom* His *Almoner*, about two Years before His *Depoſition*, He founded *Oriel* College in *Oxford*; which was at firſt called *King's-Hall*, but the other Name hath taken place ſince, by reaſon the College was afterwards built upon a piece of Ground where ſtood a large Houſe called *Le Orielle*. But why that Place was ſo called, may be another Queſtion, which I will not undertake to determine.

* Antiq. *Oxon.* Anton. à Wood, p. 103. He founded *Oriel*-College in *Oxford*.

The Wife and Children of K. Edward *the Second.*

HE [1.] married *Iſabel*, Daughter of *Philip* the *Fair*, King of *France*; She being then but Twelve Years of Age, who lived His Wife Twenty Years, His Widow Thirty, and dying at Threeſcore and Three Years old at *Ryſings* near *London*, was buried in the Midſt of the Choir of the *Gray-Fryars*, *London*. By Her He had Iſſue Two Sons, and Two Daughters. [2.] His Eldeſt Son named *Edward*, ſirnamed of *Windſor*, becauſe born there, ſucceeded Him in the Kingdom: His Second Son named [3] *John* of *Eltham*, becauſe born at that Mannor, was at Twelve Years old created Earl of *Cornwal*; he died in *Scotland* in the Twentieth Year of His Age, Unmarried. His [4.] Eldeſt Daughter *Joan* being a Child, was married in the Fourth Year of King *Edward* Her Brother, to *David* Prince of *Scotland*, Son to King *Robert Bruce*, he being then but Seven Years old. She coming afterward into *England* to viſit Her Brother, died here in the Thirty Second Year of His Reign, and was buried at the *Gray-Fryars* in *London*, *A. D.* 1357. [5.] His Second Daughter was married to *Reginald* the Second E. of *Gelders*, with a Portion of Fifteen Thouſand Pounds. She had Iſſue by Him Two Sons, who were Earls ſucceſſively, but Both deceaſed without Iſſue.

[1.] *T. W. Sandford's* Geneal. Hiſtory, p. 155.

[2.] *T. W.*

[3.] Id. Ypod. Neuſt.

[4.] *Sandford's* Geneal. Hiſt. ibid.

[5.] Ib.

Taxes in this King's Reign.

IN [1.] the Parliament at *Northampton*, in the *Firſt* of His Reign, the Earls, Barons, Knights, and *all Others of the Kingdom*, granted to the King a *Twentieth* Part of their Moveables (except their Armour, War-Horſes, Jewels, Robes, and Veſſels of Gold and Silver) of Knights and other *Freemen*, and of their Wives. And the Citizens, Burgeſſes, and *Tenants* of the *Antient Demeſnes* of the Crown, granted a *Fifteenth* Part of their Moveables; as alſo did the Clergy.

[2.] Inter Rot. Comput. in Cuſtod. Cler. Pipæ, tempore *Ed.* 2. Clauſ. 1. *Ed.* 2. m. 12. intus.

[2.] Rot Clauſ. 2. *Ed.* 2. M. 23. in Sced.

In [2.] His *Second* Year, at a Parliament holden at *Weſtminſter*, a Month after *Eaſter*, the Laity granted a *Twenty-Fifth* of their Moveables.

[3.] In Rot. Comput. ut ſupra.

* Communitates.

In [3.] the *Seventh* Year, in his Parliament at *Weſtminſter*, the Earls, Barons, Knights, Freemen, and the * Commons of Counties, gave a *Twentieth* Part of their Goods; and the Citizens and Burgeſſes, and Communities of Cities, and Boroughs gave a *Fifteenth.*

[4.] Rot. Pat. 8. *Ed.* 2. M. 12. Dorſ P. 2.

In [4] His *Eighth* Year, He had a *Twentieth* Part of the Moveables of the Laity, granted by the Commons of the Counties of the Kingdom (*per Communitates comitatuum regni*) aſſembled in Parliament.

[5.] Rot. Parl. 9. *Ed.* 2. m. 2.

In [5] His *Ninth* Year, He had granted a *Fifteenth* Part, of the Citizens, Burgeſſes, and *Tenants* in *Antient Demeſnes*, for his War with the *Scots*, in the Parliament held at *Lincoln*; the ſame Year, the *Community* of the Kingdom, or the Military Men being then alſo ſummoned to do their Service.

[6.] Rot. Clauſ. 15. *Ed.* 2. m. 16. Dorſ.

[7.] Rot. Clauſ. 16. *Ed.* 2. m. 20. Dorſ.

* *Note*, Theſe Synods or Convocations did not meet till after the Parliament at *York* was riſen.

In [6.] the *Fifteenth* Year of His Reign, the King ſummoned a Parliament to meet at *Rippon*, but it was held at *York* three Weeks after *Eaſter*: And after the End of this Parliament, on the *Twenty Seventh* of *Nov.* next following, He directed [7.] His Writs dated at *York*, to the Prelates and Clergy of both Provinces, to meet in two Synods or Convocations, the one at *Lincoln*, the other at *York*; the former of which the Archbiſhop of *Canterbury* was immediately to Summon, to treat of a Competent Aid to be granted to Him towards His Expedition againſt the *Scots*, who had then invaded *England.* In which Writs, as it were for a Direction, He recites * what the Prelates, Earls, Barons, Noblemen, and the Commons of the Kingdom had done in the Parliament at *York*; *viz.* That they had granted Him a *Tenth* Part of the Goods of the Community or Body of the Kingdom, and a *Sixth* Part of the Goods of Citizens, Burgeſſes, and *Tenants* of *Antient Demeſnes.* The *Latin* Original runs thus: *Prælati, Comites, Barones &* Proceres, *necnon Communitates dicti regni apud* Eborum, *ad tractandum ſuperdictis negotiis & aliis, Nos & Statum dicti Regni tangentibus nuper convocati*; & Decimam *de Bonis de Communitate ejuſdem Regni, &* Sextam *de Civitatibus, Burgis, & antiquis Dominicis noſtris, nobis liberaliter conceſſerunt & gratanter.* From whence you may obſerve, That the Citizens, Burgeſſes, and Tenants in *Antient Demeſnes*, are there reckon'd as diſtinct from the *Community* or Body of the Kingdom; tho' they are taken in as Part of the *Commons* or *Commonalty* thereof.

But thus much is to be ſaid for this King's Reign, That we find few or no Complaints of any *Taxes* impos'd by Colour of His *Prerogative*, contrary to Law, notwithſtanding the exorbitant Power of the two *Deſpenſers*: But this might be owing to their Policy, who having made themſelves ſo obnoxious to the Nobility, would do what they could to make the Common People their Friends. But towards the latter end of His Reign, the Confiſcation of the Eſtates of the E. of *Lancaſter*, and the reſt of the Barons attainted, were ſo conſiderable, that tho' He gave away a great deal of Lands to the *Deſpenſers* and their Adherents, yet that which ſtill remain'd in the Crown made Him to have a greater Revenue than any of His Predeceſſors ſince King *Henry* the *Second*'s time.

A Sum *or* Abſtract *of the Principal* Statutes *made in the Reign of King* Edward *the* Second.

THE First is called, *A Statute for Knights*, made 1 *Edw.* II. Wherein are ſet down divers Cauſes for which a Man may be excuſed from taking upon him the *Order of Knighthood*. But this is now repealed by the 16 *Car.* I. c. 20.

The ſame Year was likewiſe made the *Statute de frangentibus Priſonam*; which enacts, That it ſhall be Felony for any Perſon to break Priſon, being in for Felony; otherwiſe not.

Articuli Cleri 9 Edw. II.

THeſe *Articles* being Sixteen in Number, and indeed ſo many diſtinct Laws, contain divers Powers and Privileges, declared or granted to the *Clergy*: But moſt of them are now become obſolete, or in great meaſure altered by Subſequent Statutes, and therefore I ſhall only give you the Titles of the ſeveral *Chapters* of them.

Ch. I. *No Prohibition ſhall be granted where Tythes be demanded, but where Money for them.*

Ch. II. *Debate upon the Right of Tythes exceeding the Fourth Part: Enjoining Penance Corporal or Pecuniary.*

Ch. III. *Laying Violent Hands upon a Clerk. Excommunication for Penance Corporal.*

Ch. IV. *Prelates may correct for Defemation.*

Ch. V. *No Prohibition where* Tythe *is demanded of a New Mill.*

Ch. VI. *Where a Suit for One Offence may be proſecuted both in Court Spiritual and Temporal.*

Ch. VII. *In what only Caſe the King's Letters ſhall be ſent to diſcharge an Excommunicate.*

Ch. VIII. *Clerks in the King's Service ſhall be diſcharged of their Reſidence, but ſhall be corrected by the Ordinary.*

Ch. IX. *Diſtreſſes ſhall not be taken in the Highways, nor in the Ancient Fees of the Church.*

Ch. X. *They that abjure the Realm, ſhall be in Peace, ſo long as they be in the Church, or Highway.*

Ch. XI. *Religious Houſes ſhall not be charged by Compulſion with Corrodies, Penſions, Reſort, or taking of their Horſes or Carts.*

Ch. XII. *A Clerk Excommunicate may be taken out of the Pariſh where he dwelleth.*

Ch. XIII. *The Examination of a Parſon preſented to a Benefice, belongeth to a Spiritual Judge.*

Ch. XIV. *There ſhall be free Election of Dignities of the Church.*

Ch. XV. *A Clerk fleeing into the Church for Felony, ſhall not be compelled to abjure.*

Ch. XVI. *The Priviledge of the Church being demanded by the Ordinary, ſhall not be deny'd to a Clerk that hath confeſſed Felony.*

The Statute *of* Sheriffs *made at* Lincoln, 9 Edw. II.

That Sheriffs ſhall be aſſigned by the Chancellor, Treaſurer, Barons of the *Exchequer*, and Juſtices, and in the abſence of the Chancellor, by the Treaſurer, Barons and Juſtices: And that none ſhall be Sheriff, except he have ſufficient Lands in the County where he is Sheriff, to anſwer the King and His People. The reſt of the *Statute* appoints who ſhall have the keeping of Hundreds, and by whom Execution of Writs ſhall be made: Saving always Return of Writs to them that ought to have them.

The Statute of Gavelet *made at* London, 10 Edw. II. 1316.

It is provided by the King and His Juſtices, and alſo granted to the Citizens of *London*, That the Lords of Rents in the ſaid City may recover them by a Writ of *Gavelet*; and in default thereof, the Lands in Demeſne.

The Statute *of* York, Anno 12 Edw. II. 1318.

Chap. I. *Tenants in Aſſize of* Novel Diſſeiſin *may make Attorneys, and may plead by Bayliffs, if they will, as they uſed to do heretofore.*

Chap. II. *Proceſs ſhall be awarded to cauſe Witneſſes to appear, to prove a Deed, or other Writing that is deny'd in Court; and upon non-appearance at the Grand Diſtreſs, or a* Nihil *or* Non invent *returned, the taking of the Inqueſt ſhall not be deferred by the abſence of ſuch Witneſſes; with ſome few other things relating to Practice; which are too tedious here to inſert.*

Ch. III *Enqueſts and Juries touching Plea of Land, that require not great Examination, ſhall be taken by* Niſi prius *in the Countrey, before a Juſtice of the Place where the Plea is, accompany'd with a Subſtantial Perſon of the Countrey, Knight or other, &c. But this part of the Law is now grown obſolete. But then follows, that Enqueſts and Juries, in Pleas of Land that require great Examination, ſhall be taken in the Countrey, before two Juſtices of the Bench; which is the Practice at this Day.*

Ch. IV. *Juſtices of* Niſi prius *have power to record Nonſuits and Defaults in the Countrey, at the Days and Places aſſigned; which ſhall be reported in the Bench at a Day certain, there to be enrolled, and thereupon Judgment ſhall be given.*

Ch. V. *An Indenture ſhall be made between the Sheriff and Bayliff of a Franchiſe under their Names, of every Return delivered by the Bayliff to the Sheriff; and if the Sheriff change the Return ſo delivered to him by Indenture, and be thereof convict, he ſhall be puniſhed by the King, and ſhall yield to the Lord of the Liberty, and to the Party, double Damages: Likewiſe Sheriffs and Bayliffs ſhall ſet their Names to their Returns, on pain of being grievouſly amerced to the King's Uſe.*

Ch. VI. *No Perſon in any City or Borough, who by reaſon of their Office ought to keep the* * Aſſizes *of Wine or Victuals, ſhall buy or ſell any ſuch Proviſions, ſo long as they ſhall continue in their ſaid Offices: But this is now grown out of uſe.*

* *i. e.* Meaſures and Price.

The

The Statute *of Eſſoins, made* 12 Edw. II.

Declares how many ways *Eſſoins* may be challenged, and in what Caſes they do lie, and in what not.

The Statute *of* Carliſle, *made* 15 Edw. II.

This looks more like a *Writ*, or *Precipe*, than an *Act* of *Parliament*; for it begins thus, *The King unto the Juſtices of His Bench, greeting:* and a little after, *We have ſent unto you our Mind in Writng, firmly to be obſerved*,&c. But whatſoever it is, it appoints the Conuſors of Fines perſonally to come before the Juſtices, if they are able; if not, a Commiſſion is to be awarded (and in what manner, and to whom directed) to take ſuch Fines; and alſo it ſaves the Authority of the Chancellor, and of the Chief Juſtices, in admitting Attorneys, as had been before obſerved. At the end it is ſaid to be *Given* (that is, I ſuppoſe, confirmed) *at our Parliament at Carliſle*, the Year above-written.

The Statute de Prerogativa Regis, *made* 17 Edw. II.

This Body of Laws, contained in Sixteen *Chapters*, was made to declare, what were the King's Antient Prerogatives; which are as follow, *viz.*

Chap. I. *The King ſhall have the Wardſhip of the Heir of His Tenant that holdeth in Chief.*

Ch. II. *The King ſhall have the Mariage of the Heir of His Tenant, being within Age, and in His Ward.*

Ch. III. *The King ſhall have* primier ſeiſin *of the Land of His Tenant* in Capite.

Ch. IV. *The King ſhall aſſign Dower to the Widows of His Tenants; and ſuch Widows before Aſſignment ſhall ſwear, That they will not marry without the King's Licenſe, upon forfeiture of the Lands and Tenements they ſo hold of Him.*

Ch. V. *Parceners, or Co-heirs, holding of the King in Chief, ſhall all of them do Homage alike.*

Ch. VI. *The Ward of the Body of a Woman that marries before ſhe be marriageable, ſhall be in the King till her Age of Conſent: And the King's Tenant in Chief ſhall not alien the major part of his Lands without Licenſe.*

Ch. VII. *Tenants by Serjeanty ſhall pay a Fine to the King at their Alienation of them.*

Ch. VIII. *No time ſhall prejudice the King's Preſentation to a Church, ſo that He preſent within the ſpace of Six Months.*

Ch. IX. *The King ſhall have the Cuſtody of Idiots Lands, but after their Death ſhall render them to the Right Heir, to prevent the Idiots from alienating, and the Heirs from being diſinherited.*

Ch. X. *The King ſhall have the direction of Lunaticks Lands to be ſafely kept without waſt, for them and their Families (if they have any) to be maintained out of their Profits; the reſt to be kept for their Uſe, and delivered unto them, when of* Sane Memorie; *ſo that they ſhall not be aliened.*

Ch. XI. *The King ſhall have Wreck of the Sea throughout the Realm; Whales and Sturgeons taken any where within the Realm, except in Places priviledged by the King.*

Ch. XII. *The King ſhall have the Eſcheat of* Norman *Lands, to whoſe Fee ſoever they belong, ſaving the Service appertaining to the Chief Lords of the ſame Fee,* &c.

Ch. XIII. *The Heir of the King's Tenent in Chief dying, ſhall gain no Freehold, if he enter before he hath done Homage to, or received Seiſin of the King; and if during that time he die ſeized, his Wife ſhall loſe her Dower.*

Ch. XIV. *The King ſhall have the Eſcheat of Archbiſhops and Biſhops Freehold Tenants, attainted of Felony, during the Vacation, whilſt their Temporalities were in His Hands, ſaving the Services due to ſuch Prelates.*

Ch. XV. *In a Grant of Land, or a Mannor with the Appurtenances by the King, Knights Fees, Advowſons, and Dowers do not paſs from Him, without Special Words.*

Ch. XVI. *The King ſhall have all the Goods of Felons Attaint, and Fugitives, and the Year, Day, and Waſt of their Lands; and then the Land ſhall be delivered to the Lord of the Fee; but he may (if he pleaſe) fine before with the King, for the Year, Day, and Waſt; with certain Lands excepted; as in* Gloceſterſhire *and* Kent.

The next that follows (of the ſame 17 *Edw.* II.) ſeems rather to be a *Declaration* than a *Statute*, and directs in what Words a Freeman ſhall do his Homage and Fealty, and a Villain his Fealty.

Statutum de terris Templariorum, made *Anno* 17 *Edw.* II.

This veſts the Lands belonging to the Order of *Knights Templers*, lately diſſolved in that of the *Knights-Hoſpitallers*, commonly called, of *St. John* of *Jeruſalem*; but this likewiſe is diſſolved in this Kingdom.

The *Statute* for view of *Frank pledge*, made the 18th of this King, gives you the *Articles* of the *Charge* in a *Court Leet*; to which I refer.

There are divers other Laws and Ordinances of uncertain time, and alſo as uncertain whether they were made in Parliament, or only by the King and His Council; but moſt of them being now Obſolete, I ſhall ſay no more of them.

A Brief Account from the Lord Chief Juſtice Hale's Manuſcript Treatiſe *of the Progreſs of the Laws during the Reign of King* Edward *the* II.

This Prince ſucceeded His Father; and though by reaſon of the Troubles and Uneaſineſs of His Reign, the very Law it ſelf had many Interruptions, yet it preſerved its Current in a great meaſure according to that Frame and State that His Father left it; for beſides the Records of Judicial Proceedings in the Courts in His Reign, there were ſome things that ſeem to give us great Light into the State of the Law in His Time.

As firſt His *Statutes*, and eſpecially that of the 17 *Edw.* II. *de Prerogativa Regis*; which (tho' it be called a Statute, yet) for the moſt part is but a Sum or Collection of certain Prerogatives that were known long before: As for Inſtance; The King's Wardſhip of Lands *in Capite*, attracting to it the Wardſhip of Lands held of others, and the Grant of a Mannor not carrying an *Advowſon appendant*, unleſs particularly named; as alſo the King's Title to the Eſcheats of the Lands of the *Normans* was in uſe from the firſt Defection of *Normandy*, under King *John*; beſides the King's Title to Wrecks, Royal Fiſhes, and many other Things which were Antient Prerogatives of the Crown.

The Reports of the Years and Terms of this Reign were not printed in one Entire Series of Time, only ſome Broken Caſes remain; yet there are many Entire Copies very well reported, wherein are divers Reſolutions agreeing with thoſe of the Time of *Edw.* I. The beſt Copy I know of at this day extant, is in the Library of *Lincoln's-Inn*, which gives us a fair Specimen of the Learning of the Judges and Pleaders of that Time; and I ſuppoſe it was from this Copy, as well as perhaps one of His own, that the late Serjeant *Maynard* publiſhed his Edition of the Reports or Year-Book of this King's Reign.

Affairs of the Church in His Time.

I Need not ſay much more of this than I have done already; only the Reader may take notice, that in the Third Year of this King, the Order of the *Knights-Templars* being diſſolved by the Council of *Vienne* in *Dauphinè*, was alſo totally ſuppreſſed in *England*, *A. D.* 1310. by the Sentence of the Synods of both the Provinces of *Canterbury* and *York*, as I have already mention'd in the precedent Hiſtory: but this King's Reign, being very unquiet and diſturbed by Foreign Wars and Domeſtick Troubles, He durſt not put the Act in execution, that had been made by His Father againſt the Papal *Proviſions* of Benefices by the Court of *Rome*; as I have likewiſe already obſerved; with which, as well as with the Biſhops here at home, tho' the King was obliged, for the Reaſons before given, always to keep fair; yet He ſtill continued to ſummon the Clergy to His Parliaments, not only by continuing the Clauſe of *Præmunientes*, begun by His Father, in all Writs of Summons to the Archbiſhops and Biſhops, but alſo by iſſuing out two other Provincial, Parliamentary Writs, directed to the two Archbiſhops, requiring them to add their own *Mandates* to the *Clergy* of their Provinces, not to fail to do what the King by his other Summons required of them; the Form of which Writs are entred in the Regiſters of ſeveral Biſhops of that Time, and are likewiſe entred on the Rolls: You may ſee the Form of them in the Reverend Dr. *Wake*'s State of the *Church*, (p. 71.) and alſo in *Prynne*'s *Parliamentary Regiſter*, Part. 1. Num. 74. who alſo further obſerves, That as the firſt theſe kind of Writs is found to be in the Fifth of this King's Reign, ſo the laſt that appears upon Record, is, of the 14th of His Son *Edward* the *Third*; about which time it is very probable the King began to omit them, being not much concerned whether the *Clergy* came duly to Parliament, or not, ſo long as they appeared, and did His Buſineſs in their *Convocations*.

The End of the Reign of King Edward *the* Second.

THE
General Hiſtory
OF
ENGLAND
BOTH
Eccleſiaſtical and Civil.

VOL. III. BOOK XI.

Containing the Reign of King *Edward* III.

KING *Edward* the *Second* being by the Sentence of the Biſhops, Lords and Commons aſſembled in Parliament, as alſo by His Own Solemn Reſignation, depoſed and laid aſide, [1.] His Eldeſt Son *Edward*, Duke of *Aquitain*, and Earl of *Cornwal*, then of the Age of Fourteen Years, was on the 20th Day of *January* elected and declared King by the *Eſtates* of the Kingdom, who reckoned this the firſt Day of His Reign; and therefore He immediately acted as King, tho' it was before His Coronation; which will appear by a * Writ directed to all the Sheriffs of *England*, commanding them to proclaim His Peace in theſe Words:

Anno Dom. Mcccxxvii.

[1] *T. W.* *Edward* Duke of *Aquitain* elected and declared King by the *Eſtates* of the Kingdom.

* Rot. Clauſ. 1 *Ed.* 3 part. 1. m 28. *Vid.* Dr. *B*'s Append n. 74.

He iſſues out a Writ to proclaim His Peace.

The King to the Sheriff of *Torkſhire*, Greeting; '*Since* Edward *late King of* England, *Our Father, by Counſel and Aſſent of the Prelates, Earls, Barons, and other Great Men, and of the Commons of the ſaid Kingdom; as likewiſe of His Own Free Will, hath removed Himſelf from the Government of the ſaid Kingdom, willing and granting that We, as His Eldeſt Son and Heir, ſhould take upon Us the Rule and Government thereof; and We yielding to the Good Pleaſure of our ſaid Father, by the Counſel and Advice of the Prelates, Earls, Barons, Great Men, and Commons aforeſaid, have taken upon Us the Government of the ſaid Kingdom, and received the Homages and Fealties of the ſaid Prelates and Great Men, according to*

Anno Dom. Mcccxxvii

‘ *Cuſtom, therefore deſiring our Peace. for the Quiet and Tranquility of our People, to be inviolably obſerved, We command. That forthwith, after ſight of theſe Preſents, you cauſe our Peace publickly to be proclaimed through your whole Bailiwick; forbidding all and ſingular, under pain of Diſheriſon, and loſing Life and Member, that they preſume not to infringe or violate Our Peace, but that all Men do proſecute their Suits and Actions without violence, according to the Laws and Cuſtoms of the Land*, &c. Witneſs the King at *Weſtminſter* the 29th of *January*.

[2.] *Stanford. Gen* Hiſt. p. 158.
The King is knighted by *Henry* Earl of *Lancaſter*.
[3] Id.
[4.] *T. W.*
He is crown'd by the Arch-Biſhop of *Canterbury*.

Then [2] three Days after, *viz.* on the firſt of *February*, the King was by His Couſin *Henry* Earl of *Lancaſter*, girded with the Sword of Knighthood, according to the Cuſtom of that Age, when this Honour was thought as a fit Introduction to the Higheſt Dignities. [3.] After this the King Himſelf knighted ſeveral other Young Noblemen, among whom were the three Sons of the Lord *Mortimer*. When theſe Ceremonies were over, [4.] He being Royally attended (according to Cuſtom) went to the Abby Church of *Weſtminſter*, and there was crown'd by *Walter Reginald* Archbiſhop of *Canterbury*, who preached a Sermon upon that occaſion, taking for his Text, *Vox Populi, Vox Dei:* The Deſign of which is ſo obvious, that it needs no Comment; and thereupon as an Earneſt of the Great Advantages His People were to reap from His Proſperous Reign, He iſſued forth a Proclamation of General Pardon, which gave occaſion for ſucceeding Kings to do the like upon their firſt coming to the Crown, following ſo Great a Precedent.

[5. *Leland's* Hiſt. Collect. 1 Vol. in Bib. Bod. p. 655.
Twelve Guardians appointed over the K.

Now [5.] becauſe of the King's Tender Age, there were Twelve Guardians appointed Him, (to wit) five Biſhops, two Earls, and five Barons; the Names of them were theſe; *Walter Reginald* Archbiſhop of *Canterbury*, *William Melton* Archbiſhop of *York*, *John Stratford* Biſhop of *Wincheſter*, *Thomas Cobham* Biſhop of *Worceſter*, and *Adam Orleton* Biſhop of *Hereford*; the two Earls were *Thomas* of *Brotherton* Earl Marſhal, and *Edmund* of *Woodſtock*, Earl of *Kent*, both the King's Uncles; the Barons were *John* Lord *Warren*, *Thomas* Lord *Wake*, *Henry* Lord *Piercy*, *Oliver Ingham*, and *John* Lord *Roſs*; but [6.] over and above all theſe, and by General Conſent of the Lords in Parliament, and the Twelve Guardians themſelves, *Henry* Earl of *Lancaſter*, *Lincoln*, *Leiceſter* and *Derby*, the King's Couſin, was deputed to have the Chief Care of His Perſon.

[6] *T. W.*
Henry Earl of *Lancaſter* made Protector of His Perſon.
* Rot. Clauſ. 1 *Ed.* 3 m. 27. Part 1. print. in Dr. *B*'s Ap. n 81.
* The Parliament which was called in the late King's Time is ſtill continued.

The * Parliament which was called in the late King's Name, continued ſtill ſitting; for on the Third of *February*, two Days after the Coronation, we find all thoſe that had been any ways concern'd in the Quarrel of *Thomas* late Earl of *Lancaſter*, and had been baniſhed and diſinherited for the ſame, to have petitioned the King and Council in Parliament, that they might be reſtored to their Eſtates, with the Profits of them, from the time they had been wrongfully diſſeiſed; and accordingly it was granted by the Aſſent of the whole Parliament; ‘ That all Lands and Tenements which had been ſeiſed by reaſon of the ſaid Quarrel or Contention (and which was affirm'd to be juſt by the whole Parliament) ſhould be reſtor'd as well in *Ireland* and *Wales*, as in *England*, together with their Profits and Arrears of Rent, except thoſe that had been received to the King's Uſe.

On the ſame Day all thoſe that came over with the Queen and the Prince Her Son, and thoſe that joined with them after their Arrival, were alſo pardon'd and indemnify'd; the Preamble to this Pardon or Statute is very long and remarkable, as containing all the Cauſes and Reaſons of the late Revolution; which ſince it is printed at large in our * Statute-Books. I ſhall only give you the Heads of it, and refer the Reader, that deſires to be further ſatisfy'd, to the Statute it ſelf.

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All perſons that came over with the Queen and Prince are indemnified for ſo doing, with the Heads of that Statute.

‘It firſt recites the Baniſhment of the Two *les Diſpenſers*, Father and Son, by Act of Parliament: Secondly, Their Return without the Conſent of the *Community* of the Realm: Thirdly, Their cauſing the King to perſue *Thomas* Earl of *Lancaſter*, and other Barons and Commons that endeavoured to oppoſe it; in which Perſuit, the ſaid Earl, and divers other Great Men and People of the Realm, were put to death and diſinherited, and others impriſon'd, out law'd, or baniſhed. Fourthly, That after theſe Miſchief, *Robert Baldock*, and *Edmund* Earl of *Arundel* uſurped to themſelves Royal Power, ſo that the King could do nothing but as they counſelled Him, were it never ſo wrong. Fifthly, That after the Queen's going into *France*, by the King's Will, and Common Council of the Realm, the Perſons above mention'd excited the late King againſt the Son *Edward*, and the Queen His Conſort, ſo that they remained in a manner exil'd from the ſaid King *Edward*, and the Realm of *England*; wherefore it was neceſſary for our Sovereign Lord the King that now is, and the Queen His Mother, being in ſo great Jeopardy of themſelves in a Strange Countrey, ſeeing the Deſtructions, Oppreſſions and Diſheriſons which were notoriouſly committed in the Realm of *England* upon Holy Church, the Prelates, Earls, Barons, &c. and other Great Men, and the *Community*, by the ſaid Perſons abovementioned, by encroaching Royal Power to themſelves, to take as good Counſel as they might; and ſince they could not remedy the ſame unleſs they came into *England* with an Army of Men of War, and had by the Grace of God with that Puiſſance, and the help of the *Great Men* and the *Commons* of the Realm, vanquiſhed and deſtroy'd the ſaid Parties abovementioned, &c. Then follows the Enacting Part, *viz* That therefore our Sovereign Lord the King that now is, upon certain Petitions and Requeſts made to Him in this *Parliament*, upon ſuch *Articles* as are there above rehearſed, by the *Common Council* of the *Prelates*, *Earls*, *Barons*, and other *Great Men*, and by the *Commonalty* of the Realm there preſent, by His Commandment hath provided, ordained and eſtabliſhed in manner following:

‘* That no *Great Man*, nor other, of what Eſtate, Dignity or Condition he be, that came over with the ſaid King that now is, and with the Queen His Mother, into the Realm of *England*, nor any other then dwelling in *England*, that came with the ſaid King that now is, and the Queen in aid of them, to perſue their ſaid Enemies, *in which perſuit the King His Father was taken, and put in Ward, and yet remaineth in Ward*; ſhall be impeached, moleſted, or grieved in Perſon, or in Goods, in the King's Court, or any other Court, for the perſuit of the ſaid King, the taking and with-holding of His Body, or perſuit of any other, or taking of their Perſons, Goods, or Death of any Man, or any other thing perpetrated or committed in the ſaid purſuit; from the day that the ſaid King and Queen did arrive, till the day of the Co-

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* Primo Ed. 1. cap. 1.

* Ib.

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‘ronation of the ſame King. There alſo follow divers other Clauſes in this Statute, but ſeeing they make not much to our purpoſe, I omit 'em; this being ſufficient to ſhew you, that no taking up of Arms againſt the King is juſtifiable according to the Common Laws of *England*; however it may really prove for the preſervation of the Common Rights and Liberties of the People; and therefore all thoſe that had any ways contributed or aſſiſted in this Revolution, did not think themſelves ſecure even from the preſent King (in caſe He ſhould ever change His Mind) without this Act of Parliament to indemnifie them for what they had done. But had the Times turn'd, and King *Edward* the *Second* recover'd the Throne, I doubt whether this Pardon would have then done them any Service. But to come to the Hiſtory.

* Rot. Clauſ. 1 *Ed.* 3. m. 16. Dorſ.

Commiſſioners appointed to go into *Scotland* to treat of Peace with the *Scots*, who had lately entred the Borders.

[1.] *Thomas Southwell's* Chron. cited by *John Stow*.

The Parliament being ended, * Commiſſioners were appointed to go into *Scotland* to treat of Peace; for the *Scots* preſuming on the late Diſturbances in *England*, had now broke the Truce they had lately made with the Depoſed King, and [1.] on the day of this King's Coronation, had entred the Borders, and endeavour'd to have taken the Caſtle of *Norham* by ſurprize; but tho' ſixteen of them had mounted the Walls in the Night, yet the Governor Sir *Robert Manners* having had notice of their Deſign, was ſo ſtrict upon his Guard, that by the vigilance of his Men he took ſome of them Priſoners, and put the reſt to the Sword; upon which thoſe that were without immediately marched off.

[2.] *Hector Boeth. Buchan*

The *Scotiſh* K. ſends to defie King *Edward*.

The [2.] Peace being thus openly broken, *Robert* King of *Scots* reſolved to perſue the Advantage He thought He had got through the Diviſions in *England*, and the Minority of their Prince, tho' He Himſelf was much weakned with Years, as well as Infirmities; therefore not long after ſent King *Edward* a ſhort and briſk Defiance, telling Him He would ſoon invade *England* with Fire and Sword.

[3.] *Hect.* ib. *Buch.* l. 8.

The Cauſe of this Breach, according to the *Scotiſh* Hiſtorians.

[3.] But to ſay ſomewhat further of the Cauſe of this War; the *Scotiſh* Writers impute it to ſome Fraud or Colluſion of the late *Engliſh* Ambaſſadors, who were now return'd without obtaining any thing they came for, yet are accuſed for having gone about to enſnare the *Scotiſh* Nation; but what thoſe Frauds or Deceits were they then uſed, theſe Writers do not tell us, nor, I believe were able to aſſign any; for it appears by the Authorities already cited from our Hiſtorians, that the *Scots* had broken the Truce before any Ambaſſadors could be ſent to them by the Young King *Edward*; and as for the Old one, we do not find He ſent any to them for two Years before His Depoſing, nor was *England* in a Condition either at the latter end of the late Reign, or beginning of this, to have renewed a War with the *Scots*; and therefore it is moſt probable that it was undertaken by them upon the Motives already mention'd; as alſo upon the ſpecious Pretence of reſtoring the Depos'd to His Crown and Liberty. But to proſecute our Hiſtory.

[4.] Id. Ib.

The *Scots* invade *England* with 20000 Men.

The [4.] *Scots* in perſuance of this late Defiance, had towards *Eaſter* invaded the *Engliſh* Borders with an Army of about Twenty thouſand Horſe, and ſome few Foot, which was ſo order'd, that they might make the more ſudden Invaſion, do greater Miſchiefs, and then retire the more ſpeedily, if there were occaſion: This Army was commanded by the Earl of *Murrey*, and the Lord *Thomas Randolph*, two experienced Generals; for their King *Robert* being diſabled (as I ſaid a little above) with

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Years and Sickneſs was unable to appear in Perſon: In the mean while [5.] King *Edward* much incenſed at the late Defiance, ſent His Uncle *Thomas Brotherton* Earl of *Norfolk*, with a ſelect Detachment of Soldiers to *Newcaſtle*; where he muſter'd them about the Beginning of *June*; and the Lord *Robert Ufford*, and the Lord *John Mowbray*, were likewiſe ſent with another Body of Men, to reinforce the Lord *Lucy* then Governor of *Carliſle*. And at the ſame time alſo the King iſſued out His General Summons to the reſt of His Subjects, requiring them by ſuch a day to meet Him at *York*, well provided with Horſe and Arms. [1.] But not relying on theſe alone, He ſent to the Lord *John de Beaumont*, Brother to the Earl of *Haynault*, deſiring him to come over to His Aſſiſtance. This Lord, in Complyance with theſe Deſires, came over accordingly into *England*, attended by divers Lords and Knights of *Haynault*, *Flanders*, and *Artois*, with Five Hundred Men at Arms; which together with thoſe that not long after arrived under the Conduct of the Lord *William*, Son to the Duke of *Juliers*, [2.] made up in all about Two Thouſand *Foreigners*. This I take notice of, becauſe the Reader may obſerve, that it hath not been unuſual for the Kings of this Realm, in times of great Danger, to make uſe of the Aſſiſtance of Foreign Mercenary Forces; eſpecially if their own, by long Peace, or frequent ill Succeſs, have proved diſpirited and unwarlike.

[5.] *Froiſſart* Vol. 1. c. 18. The K. ſends His Uncle *Thomas* Earl of *Norfolk* with a ſelect Party to reſiſt the *Scots*.

[1.] Id. ib. And receives Aſſiſtance from the Ld. *John de Beaumont*, Brother to the E. of *Haynault*.

[2.] *H. Knyghton*, c. 2551.

King [3.] *Edward* being arrived at *York*, ſtayed there about the Space of Six Weeks, to muſter and review His Army; But part of this time (as much as could be ſpared from His Military Affairs) was ſpent in Jollity, Feaſting and Dancing, for the Entertainment of theſe Foreign Princes; the Queen-Mother being there in Perſon, with the Ladies of Her Court. But this Mirth was allay'd by a very ſad and unlucky Accident; [4.] for the Evening after one of theſe Entertainments, there happened a great Fray between the *Engliſh*-Archers, and the Servants and Horſe-Boys of the Foreign Auxiliaries, (as often happens in Armies compos'd of divers Nations) in which many of the latter were ſlain, as alſo above Eighty of the *Engliſh*-Archers: Yet no ſooner was this Tumult a little quieted through the King's Command, as well as the Queen's Mediation, [5.] but the Foreign Soldiers reſolved to be revenged; and therefore combining together, they ſet upon the Archers of *Northampton* and *Lincolnſhires*, and killed that night above Three Hundred of them. At this the *Engliſh* were ſo enraged, that they were going to join all in a Body and fall upon the Foreigners, and cut them all to pieces; and would have done it, had not the King interpos'd His Authority, and likewiſe ſet a ſtrong Guard of Part of the Army to ſecure them from being again aſſaulted by the *Engliſh*; *who could never endure to ſee Foreign Mercinaries preferr'd before them, either in Favour or Command.* But to come to ſomething more conſiderable.

[3.] *Froiſſ.* ib. K. *Edward* arrives at *York* with His Army.

[4.] Id. ib. c. 18. A great Fray between the *Engliſh* Archers and the Foreign Auxiliaries.

[5.] *H. K* ib. The Foreigners reſolving to be revenged, ſet upon the *Engliſh* Archers, and kill a great many of them.

Whilſt the King continued at *York*, a [1.] Treaty of Peace was ſet on foot with certain Ambaſſadors ſent from the King of *Scots*, and three Weeks ſpent about it; but not being able to come to any Agreement with the King's Council that were appointed to treat with them, the Preparations of War were again renewed, and the Mareſchals of the Camp gave notice, that all Men ſhould be ready to march upon the firſt Signal. [2.] Then about the Beginning of *June*, the King, attend-

[1.] *Caxton's* Chron. Certain Ambaſſadors ſent from the *Scots* to treat of Peace, but without any effect.

[2.] *Froiſſ.* ib.

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The King with the Flower of the *Engliſh* Nobility marches againſt the *Scots*, who thereupon retire into the Biſhoprick of *Durham*.

[3] *Holingſh.* Hiſt. Scot. p. 228.

attended by the Earl of *Kent*, together with the Flower of the Nobility of *England*, beſides the Foreign Princes above-mention'd, ſet out for *Scotland*; but before they could get ſo far as *Newcaſtle*, [3.] the *Scotiſh* Army had privately retreated into the Biſhoprick of *Durham*, without ſo much as being ever encountered by the *Engliſh*, unleſs it was by ſome of the Country-Militia, whom they quickly put to flight.

The K. finding the *Scotiſh* Army retreated, marches in perſuit of them.

[3] *Froiſſ.* ib.

King *Edward* drawing nearer the Borders of *Scotland*, and finding the Army of that Country afraid of the mighty Numbers of the *Engliſh* Forces, then above Sixty Thouſand retreating to entrench themſelves in ſome Place of Safety and Advantage; He marched in perſuit of them, being directed by the Smoak of the Houſes and Villages, which the *Scots* had ſet fire to in their Retreat. But after a Day or two's March, when the King found the Enemy (chiefly conſiſting in Light-Horſe without much Baggage) were not to be overtaken, and that His Men were quite tired thro' the tediouſneſs of the Way; He then held a Council of War with His General Officers, to conſider what was beſt to be done on this Occaſion; And after mature Deliberation, it was there unanimouſly reſolved, That ſeeing in what a Condition the *Engliſh*-Army then was, the King with the Flower of his Forces, leaving their heavy Baggage and Carriages behind them under a ſtrong Guard, ſhould paſs the *Tyne*, and meet the *Scots* in their return home. This was immediately put in Execution, the King Himſelf undertaking it with a Flying-Army, conſiſting chiefly of Horſe; and after a March of above Twenty Miles, they the next day got over the River, tho' with much difficulty, by reaſon of the abundance of looſe and ſlippery Stones that lay in their way. When they had compaſſed this, and were got a Day's March further without ſeeing or hearing of the *Scots*, they fell into ſuch lamentable want of Proviſions, and beſides found themſelves ſo fatigu'd and harraſs'd with Five or Six days continual March, that the King with His Forces were forced to quit the Barren Country of *Northumberland*, and repaſſing the *Tyne* again enter'd the *Biſhoprick* of *Durham*; Where they had not been long, but *Thomas Rooksby* an Eſquire of *Yorkſhire*, brought Him News, that the Enemy was ſtill encamped in *England*, three or four Miles off upon a high Hill in *Weredale*. The King, for this Intelligence, beſtowed upon this Gentleman no leſs than one Hundred Pounds *per Ann.* to him and his Heirs for ever, beſides the Honour of Knighthood, which He alſo ſuper-added at the ſame time.

The K. leaving His Baggage, &c. behind Him, goes with the Flower of His Army to find out the *Scots*, but falls into great Wants and Difficulties in the Execution of it.

The *Scots* are diſcover'd where they lay, and the Perſon that brought the News is well rewarded.

[4] Id. ib.

The King coming to the Banks of the River *Were*, the *Scots* will not permit Him to paſs it; whereupon He ſends them a Meſſage, with their Anſwer to it.

The [4.] King then bent His Forces towards the Enemy; but when He came to the Bank of the River *Were*, He found the *Scots* Army drawn up at the Foot of an adjacent Mountain, in order of Battel: Upon which King *Edward* alſo ſet His Forces in Battel-Array; But the cunning *Scots* underſtood their Advantage better, than to let the *Engliſh* quietly paſs over the River to them; and it was as unſafe for them too, to go over and fight the *Engliſh*. Wherefore King *Edward* by the Advice of His General Officers, ſent His Heralds to the *Scotiſh* Camp, to let their Generals know, that if they were willing to paſs over the River, in order to a Battel, the King would give them free Liberty; or if they did not like that, He deſired the ſame leave for Himſelf and His Army. Upon this Propoſal, the *Scots* having called a Council of War, the valiant Lord *Douglas* one of their Generals, was willing to embrace the Propoſal; but the Lord *Randolph* being more prudent and cautious declined it, and return'd the King an Anſwer to this effect: *That the* Scotiſh *Lords were better adviſed than to follow the Counſel of an Enemy; That they were reſolved to maintain their Poſt, and not to quit it, ſo long as they had the Advantage; and therefore would accept of neither of theſe Propoſals; and if the* Engliſh *did not like it, they might help themſelves as well as they could.* After this Anſwer, the *Scotiſh* Generals leaving a ſufficient Force to guard the Paſs over the River, retreated to their former Encampment on the Mountain: And thus for three days both Armies lay facing each other, neither Party daring to paſs the River, for fear of the Advantage the other might get over them; ſo that King *Edward* had no way left (being now between the Enemy and home) but to block up their Army, and ſtarve them for want of Victuals and Forage: For he underſtood by certain Priſoners, that their Oatmeal, Wine and Salt were almoſt ſpent, and then they would in a ſhort time have nothing but Fleſh left them to ſubſiſt on, which, without Bread or Oatmeal, could be no grateful nor wholeſom Diet; but the *Scots* were not ſo eaſily to be ſtarved, for (as [5.] *Froiſſart* informs us) they were then ſo abſtemious and patient in time of War, that for a good while they could live on Fleſh half boiled, and drink out of the next River: Nor yet had they any Pans or Cauldrons to dreſs their Meat in; for what Beaſts they found, (as they always did good ſtore in thoſe *Northern* Parts) they would ſeeth them in their own Skins ſtretched out on Stakes in the manner of Cauldrons, and having thus ſod their Meat, they would take a little Iron Plate, which they uſed to truſs upon their Saddles; and laying it on the Fire, take forth ſome Oatmeal, (which they carried behind them in little Bags for that purpoſe) and having kneaded and mix'd it with Water, made Cakes of it; which being thus baked on the Pan, they uſed for Bread to Comfort and Strengthen their Stomachs, when they did eat Fleſh. This I have taken notice of, to let the Reader ſee, that the ordinary way of living among the *Scotiſh* Nation in that Age, was much the ſame with that of the *Highlanders* at this day.

[5.] Id. ib.

The manner of the *Scots* Diet in time of War.

But [1.] tho' the *Scots* were not eaſily to be ſtarved, yet whether they wanted Forage for their Horſes, or that they had a mind to encamp in a Place of greater Safety, I will not determine; but it is certain, about four days after, they diſlodged in the Night, and marched off to another Mountain near the Side of the ſame River, having a great Wood on the one hand of them, and a large Bogg on the other. This Place lay in *Stanhope-Park* belonging to the Biſhop of *Durham*. When King *Edward* perceived the *Scots* were removed, and had learned by His Scouts the Place in which they were encamped, He immediately marched after them with His Army; yet having the River ſtill between Him and the Enemy, it was to as little purpoſe as before: And tho' He lay there for the Space of above Fifteen days, with a deſign to block up and ſtarve the *Scottiſh* Army, it ſignify'd nothing; for they did not only make a ſafe Retreat into their own Country, but alſo put the King in very great danger of His Life and Liberty. For the firſt night after the Removal of their Camp, the [2.] Lord *Douglas* having Intelligence that the *Engliſh* kept but a careleſs Guard, he paſſed the River beyond the *Engliſh* Camp, and with two Hundred Men at Arms well mounted, broke into it, and (as the [3.] *Scottiſh*

[1.] Id. ib.

The *Scots* decamp in the night, and take up their Quarters in *Stanhope-Park*.

The K. perſuing the *Scots*, is in great danger of being taken Priſoner.

[2.] *Froiſſ.* id. ib.

[3.] Hec. Boeth & Buch. ibid.

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The Relation of the *Scotiſh* Hiſtorians not probable in all Circumſtances.

* Col. 2552.

A better Relation from *H. de Knyghton* of this Action.

Writers relate) ſlew Three Hundred *Engliſh* before ever he arrived at the King's Tent, ſome of the Cords of which he cut, and had certainly either killed or taken Him Priſoner, had He not immediately leaped out of His Bed, and ſlipped away in the dark among His Guards; upon which *Douglas* retreated with little or no loſs. But it is not very likely that the *Scots* ſhould come ſo near the King's Tent, and kill ſo many Men in his Paſſage thither without ever alarming Him or His Guards; and therefore what * *Henry de Knyghton* reports, is much more probable: That the Lord *Douglas* intending to take the King Priſoner, or kill Him if he fail'd in it, (either of which would make an end of the War) enter'd the Camp by Stealth with ſome of the ſtouteſt of the *Scotiſh* Nation, and counterfeiting himſelf an *Engliſh* Officer going the Rounds, he cried ont, *Ha! St.* George, *no Watch*; until at laſt arriving near the Royal Tent, he firſt ſlew the King's Chamberlain, and then a Chaplain, who coming to awake Him, interpos'd his Perſon between Him and the Lord *Douglas*; upon which the King ſtarting out of His Bed, and ſnatching up His Sword, therewith defended Himſelf, till the Guards that lay near came into His Aſſiſtance: Which *Douglas* perceiving, he immediately retreated; and it being very dark, got off ſafe, tho' with the loſs of many of his Men. This is the beſt Account that our Writers give of this Action, and ſeems much more probable than the other; all the Advantage that the *Engliſh* obtain'd by it was, that it made them ſtand better upon their Guard for the future.

[3.] *Froiſſ.* ib. *H. K* ib.

The *Scots* being in want of Proviſions, ſteal away by night.

The K having intelligence of their March, makes His Army ſtand to their Arms.

When [3.] the *Scots* had lain thus encamped for about a Fortnight longer, they began to be in great want of Bread, Salt, and other Neceſſaries, though they had Fleſh enough; and finding they could gain no more Advantages over the *Engliſh* by ſurprize, and not daring to give them open Battel, who ſo much exceeded them in Number; they reſolved to make a private and ſpeedy Retreat homeward: Whereupon their Generals gave them notice, that they ſhould all be ready to march under their ſeveral Banners at the time prefixed, but without letting them know whither, for fear the *Engliſh* ſhould any-ways have intelligence of it: Yet thus much the King learned from a *Scotiſh* Knight, who had been lately taken Priſoner, and from thence concluding, that they intended to ſurprize Him, and make a General Aſſault upon His Camp by night; He immediately commanded His Forces to be drawn up in three Battallions, the middlemoſt of which was to ſtand before the Camp, and the other two on each ſide, to receive the *Scots* which way ſoever they ſhould attempt to fall upon it. But when the *Engliſh* had ſtood to their Arms all night, they had notice by two *Scotiſh* Trumpeters taken by their Scouts, that their Army had ſilently decamped about Midnight, and having marched away through the Woods, had now got ſeveral Miles before them: Upon which intelligence the King called a Council of War, and it being there conſidered, that the *Scotiſh* Army conſiſting chiefly of Horſe, would certainly reach their own Country before the *Engliſh* could overtake them, and the Autumn being far ſpent, that it was too late to undertake another Expedition this Year; beſides the great Expence of Money, and Loſs of Men and Horſes by long Fatigues, and the Diſeaſes of the Camp; I ſay, upon all theſe Conſiderations it was at laſt reſolved, That the King with the whole Army ſhould preſently return home into *England*.

The *Scots* being gone, the King returns into *England* with a great Loſs of Men and Money.

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Before [4] they departed, many of the *Engliſh* went to view the deſerted Camp of the *Scots*, as well out of curioſity as hopes of Plunder; but they found nothing worth the carrying away, beſides the Carkaſſes of above Five Hundred Deer and Black Cattle, which lay there ready killed; and Ten Thouſand Pair of Shoes made of raw Hides, with the Hair on: And among the reſt there were Five poor *Engliſh* Priſoners faſt bound to Trees, with their Legs broken. that ſo they might not eſcape to give intelligence; of whom their Countrymen took all the care they could.

[4.] *Froiſſ.* ib. The *Engliſh* view the Place of the *Scots* Camp, but find nothing worth taking.

Then [5.] the *Engliſh* Army decamped, and marched towards *Durham*, where the King found all His Carriages and Baggage ſafe; and marching from thence to *York*, He was there received with great Joy by the Queen His Mother, and Her Retinue. The King ſometime after, having diſmiſſed the Lord *Beaumont* and the reſt of the Foreign Commanders with great Preſents, and the Common Soldiers with ſome Money paid down, and the reſt to be ſatisfied in a ſhort time, He return'd into the *Southern* Parts.

[5.] Id. ib. The King arrives at *York*, and is joyfully received by the Qu. His Mother; the Foreign Forces are paid and diſmiſſed.

Thus ended this Unfortunate and Inglorious Expedition, which happen'd thro' the Treachery or bad Conduct of the *Engliſh* Commanders, the King Himſelf being very young. This ill Succeſs is chiefly laid at the door of the Lord *Roger Mortimer*, as you will find hereafter, whereby the *Engliſh* loſt one of the greateſt Advantages over the *Scots* that ever they had; for if the King had then divided His Army, which was doubly ſuperior to the Number of the *Scots*, and had left the one half of it to defend the Borders, and with the other had marched immediately into *Scotland*, He might in all probability have reduced that Kingdom, or elſe have forced the *Scots* to a Battel; and had He therein proved victorious, He might have gone where He had pleaſed. But theſe are the Misfortunes of young Princes, who tho' they prove afterwards of wonderful Courage and Prudence, yet often receive great Defeats and Loſſes in their Minority, through the want of ſufficient Fidelity and Conduct in thoſe who have the chief Government and Adminiſtration of Affairs.

The King for want of good Conduct loſes a great Advantage over the *Scots*.

But to put an end to the Affairs of *Scotland*: [1.] Not long after King *Edward*'s Departure into *England*, the *Scots* rais'd a great Army, and, according to their wonted Cuſtom, entred *Northumberland*, and waſted and plunder'd it, except the Caſtles, or other ſtrong Places; which the reſt of the Inhabitants of the *Marches* hearing of, they were glad to redeem themſelves from Plunder by the Payment of a great Sum of Money; and thereby obtain'd a Truce till *Whitſontide* following.

[1.] Chr. Lan.

We ſhall now look back and ſee what had been doing in *England* during this Expedition; [2.] the Depos'd K. had hitherto been kept Priſoner in ſafe, but eaſie Cuſtody by *Thomas* E. of *Lancaſter* His Coſin, who began to pity His Condition; He ſeemed not to want any thing but the Company of His Q. who tho' She ſent Him ſome Suits of Cloathes and Linnen, yet would never ſee Him, either through an Averſion She had to His Perſon, (or as others relate) through the Inſtigation of the Lord *Mortimer*, who perſwaded Her that the King intended to kill Her when ever He could get Her into His Power. But this is more certain, that this Lord, together with *Adam de Orleton* Biſhop of *Hereford*, fearing that if *Edward* ſhould eſcape out of Priſon, and recover His Crown, they

[2.] Sir *Thomas de la More.* A Relation of the Sufferings of the late K.

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might be made to ſuffer ſeverely for what they had acted againſt Him, ſo far prevail'd upon the Queen's Weakneſs and Fears, that She gave Her Conſent He ſhould be made away during Her Son's Abſence; in order to which about the beginning of *April*, He was taken from the Cuſtody of the Earl of *Lancaſter*, and delivered to Sir *John Matravers*, and Sir *John Gurney*, Knights, being Perſons that would do any thing the Court required of them: Theſe had Commiſſion to enter any of the King's Caſtles, and there to command in chief as long as they pleas'd to ſtay there; by virtue of which they remov'd the late King privately from *Kenelworth-Caſtle* to that of *Corſe* in *Dorſetſhire*, and from thence after a while to *Briſtol-Caſtle*; where tho' He was kept very privately, yet it being known to ſome of the Chief Citizens, they ſecretly combined to ſet Him at liberty, and convey Him to ſome ſafe Place beyond Sea; of which Deſign, when it was ready to be put in execution, His Keepers having ſome notice, they preſently removed Him from thence to *Berkley Caſtle* in *Gloceſterſhire*; and I muſt not omit telling you, that in His Paſſage thither, He was treated with great Indignity; for the above cited [3.] Writer of His Life informs us, That being made to ride upon a ſorry Jade, bareheaded, *Gourney*, one of His Keepers, as they paſſed by a certain Grange, clapped upon His Head a Crown of Straw, adding this Flout, * *Fare forth Sir King*; nor did they end here, for having a mind to cut off the Hair of His Head and Beard, that He might be more diſguis'd from the knowledge of any they ſhould chance to meet with, they made Him alight at a certain Ditch in their way, from whence an Inſolent Fellow fetched Him ſome Cold and Dirty Water in an old Helmet, as He ſat on a Mole-hill to be trim'd, ſaying, That Cold Water ſhould ſerve Him for that time; to which the Poor Prince reply'd, That in ſpight of them He would have Warm. This Action, ſince it is ſo well atteſted, I will not queſtion, tho' I think I juſtly may, whether this Reply, and the Tears He then ſhed, ſhew'd that Heroick Greatneſs of Mind, which is above ſuch Reſentmens of Mean Injuries and Affronts: But to let that paſs; So ſoon as they arriv'd at *Berkley-Caſtle*, the Lord thereof was diſmiſſed from having any Command there, or (as was ſuppos'd) willingly removed to another Seat; for which, as being thought privy to the Intended Deſign, he was after queſtion'd in Parliament, and put in great danger of his Life, as you will find hereafter. But to come to the Matter in hand.

He is taken out of Cuſtody of the Earl of *Lancaſter*.

And is privately removed from one Caſtle to another.

[3.] Id ib.
He is uſed with great Barbarity.

* *i. e.* In Old *Engliſh*, *Advance Sir King*.

The late King is brought to *Berkley*-Caſtle.

[4.] So ſoon as the Conſpirators had brought the late King to this Place, they lodged Him in a high Turret of the Caſtle, where tho' by Ill and unwholſome Diet, and placing dead and ſtinking Carkaſſes near His Chamber, as alſo by unworthy Treatment and Reproaches, they found they could neither make Him fall ſick, nor yet cauſe Him to make Himſelf away, they reſolv'd to take a ſpeedier Courſe, and after they had entertain'd Him with a plentiful Supper that He might ſleep the ſounder, and be the leſs ſuſpicious of their Wicked Deſign, they came at Midnight with about Fifteen Ruffians into His Chamber, and laying a heavy Table upon His Upper Parts, they made Him turn to ſuch a Poſture, [5] as that they could eaſily thruſt a Hollow Pipe through His Poſteriors into His Body, and through that a ſmall ſharp Iron heated red hot, which they turn'd up and down, until with unſpeakable Torments and intolerable Groans which were heard by the Neighbourhood, He at laſt expired: This Cruel Death they choſe to put

[4.] Id. Ib.
He is there lodg'd in a Turret with Dead Carkaſſes plac'd near His Chamber.

[5] *T. W.*
The Conſpirators enter in the Night, and murther Him in a moſt cruel manner.

Him to, becauſe it concealed the Violence done to His Body; and to put a better Colour upon the Matter, they gave out, that He died ſuddenly: and expoſing the Corps to publick view, they ſent for the Prior of *Briſtol*, and Abbot of *Gloceſter*, with the Burgeſſes of thoſe Towns, as alſo for ſeveral Knts and Perſons of Quality; but though they could not ſee the Skin any where broken, yet from the Blood that was ſetled in His Face, divers of the wiſer and more penetrating ſort concluded, that His death was violent, but the manner of it was not diſcovered till ſome time after, when the Authors, as well as Actors in it were called to a juſt Account for this Horrid Villany: Such was the Tragical End of this Unfortunate Prince, in the Forty third Year of His Age; who however ill He had carried Himſelf, yet certainly did not deſerve ſo cruel a Treatment from thoſe who had been His Subjects, and ought to have been His Keepers, and not His Murtherers.

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They give oũ that He died ſuddenly, and ſend for the Prior of *Briſtol*, and Abbot of *Gloceſter*, with divers Perſons of Quality to view the Corps.

I ſhall ſay no more of this Tragical Story, but [1] that the Abbots and Monks of St. *Peter*'s in *Gloceſter*, to whom this Prince had been a great Benefactor, out of Gratitude fetch'd His Corps from *Berkley*-Caſtle, and with a decent, tho' private Funeral, bury'd it in their own Church, where His Son, *Edward* the *Third*, erected to His Memory a fair Monument of Alabaſter, with His Portraiture thereon, under the Second Arch, on the North ſide of the Altar, betwixt two Pillars, and where it is to be ſeen at this day. But to come to ſomewhat more diverting:

[1.] *Sanford*'s *Geneal.* Hiſt. p. 152.

Which is buried at *Gloceſter* by the *Abbot* of that Place.

The King preſently after His Return from His *Scotiſh* Expedition, held a Parliament at *Lincoln* on the morrow after the Feaſt of *Holy-Croſs*, or 13th of *September*, as appears by the * Writ of Summons on Record, which is very long, there being recited in it the principal Matters that happened in this War, with the eſcape of the *Scots* at *Stanhope*, much after the ſame manner as hath been already related: This bears date at *Stanhope* the 7th of *Auguſt*; but tho' the Parliament met at the time appointed, yet I cannot find what was done in it; but certainly nothing very conſiderable, ſince our Hiſtorians are ſo ſilent concerning it, and the Records thereof are loſt.

* Rot. Clauſ. 1 *Ed.* 3. m. 16. Dorſ.

[2] So ſoon as this Parliament was over, the King returned to *London*, where notwithſtanding His late ill Succeſs, He was joyfully met by the Mayor and Aldermen without the City; for He was a Young Prince of Great Hopes, and expreſs'd more than ordinary Spirit in His Countenance as well as Actions: Not long after His Return He held a [3.] Parliament, or rather Great Council of the Nobility, at *Weſtminſter*, on St. *Brice*'s day, or 13th of *November*, in which the chief Matter I find then to have been tranſacted, was, that He not only confirm'd to the *Londoners* all their former Priviledges, but granted them divers new ones, ordaining, 'That the Lord Mayor, or His Deputy, for the time 'being, ſhould ſit as the King's Chief Juſtice in all Places within the Li'berties; and that every Alderman, who had been Mayor, ſhould be a 'Juſtice of the Peace within His own Ward: He alſo granted unto the 'Citizens the Fee Farm of *London* for three hundred Pounds *per Ann.* '*And that * the Lawful Franchiſes of the City ſhould not be ſeized into the* '*King's Hands, but only on occaſion of Abuſe or Miſuſage, or for Treaſon or* '*Rebellion countenanced or done by the whole City*: [4] He then alſo further ordained 'That *Southwark* ſhould be under the Government of the

[2.] *T. W.*

He is joyfully received by the Mayor and Aldermen of *London*.

[3] *Jo. de. Tinmouth* in Bib. Lambeth, *ad hunc Ann.*

A Great Council held at *Weſtminſter*, wherein the Liberties of the City are confirmed and increaſed.

Coke's 2d Inſt. f. 20.

[4.] *Stow*'s Survey of *London*. p. 248.

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'City, and that the Mayor of *London*, as Bailiff of *Southwark* ſhould 'depute under Him the Bailiff of the *Borough*. This deſerves our notice.

[5] *Holingſhead ex Regiſtro hujus Abbat. vocat. Werketon. quod etiam vidi penes Dom. Rich. Gipps.*

A Relation of the great Riot and Inſurrection made by the People of St Edmunds-Bury againſt the Abbot and Monks.

They impriſon the Prior and Monks, and force them to ſeal an Obligation of 10000 *l.*

I ſhall here for want of Matters of greater moment, take notice of a notable Riot and Inſurrection that happened in the beginning of the Year upon this occaſion; [5] The Inhabitants of the Town of St. *Edmund's Bury* in *Suffolk* having a Quarrel with the Abbots and Monks of that Monaſtery, about their Priviledges, made a great Riot and Inſurrection twice this Year againſt them; the firſt time was on *Wedneſday* after the *Converſion* of St *Paul*, or 25*th* day of *January*, when *Robert de Texton*, and *Richard Drayton*, with a great many others, in a warlike manner aſſaulted the Gates of the ſaid Abby, and breaking them down, entred it by force, and beating and wounding the Monks and what Servants they met with, plunder'd the Houſe of a vaſt quantity of Plate, Veſtments, Books, &c. beſides Five hundred Pounds in Silver, and Three thouſand Florins of Gold, all which they took and carried away, together with ſeveral Antient Charters of King *Cnute*, *Hardicnute* His Son, and *Edward* the *Confeſſor*; as alſo thoſe of King *Henry* the *Firſt* and *Third*, granted to the ſaid Abby, with the Bulls of ſeveral Popes; and not contented with this, they ſeized likewiſe *Peter Clopton*, Prior of the ſaid Abby, with divers of the Monks, and impriſoned them in a place called the *Leaden-Hall*, till almoſt *Candlemas*, and then they brought them back again into their *Chapter-Houſe*, and there made them ſeal an Obligation to one *Kempe* and Others therein named, of Ten thouſand Pounds, as alſo a Releaſe of all Actions, Debts, Treſpaſſes, &c. againſt the ſaid *Kempe* and the reſt therein named.

* Id. ib.

After which they renew the Riot, ſeize upon the Abbot and Monks, and keep them Priſoners till they ſeal'd a Charter, whereby the Inhabitants of the Town were to be made a Corporation.

* After which Riot, the Abbots being now return'd to *Bury* on the *Thurſday* after *Candlemas*, the Perſons above mentioned enter'd the Abby again, and ſeizing the Abbot himſelf, and certain of His Monks, kept them Priſoners till the next day, when they made them to ſeal other Writings, and among the reſt a Charter, whereby the Abbots made the Inhabitants of the ſaid Town to be a Free *Corporation*, conſiſting of a Bailiff and Aldermen, beſides divers other Priviledges; and then made them ſeal to the ſaid Town, as to a Corporation, three ſeveral Obligations, amounting in all to Seven thouſand Pounds, and alſo a Releaſe of all Treſpaſſes and Damages; for they had at the ſame time not only plunder'd the Abby afreſh of a great deal more Plate and other things, but had deſtroy'd two Houſes belonging thereunto in the ſaid Town, let out the Fiſh-bounds, and cut down a great many Trees, all which amounted in the whole to the value of Forty thouſand Pounds.

* Id. ib.

Upon the Abbot's proſecuting them at Law, they renew the Riot, and burn down the Abby Gates, with ſeveral Houſes.

* Nor did they ſtop here; but finding the Abbots and Monks had begun to ſue them at Law for what had been already done, the Townſmen being aſſiſted by divers rude and diſorderly People out of the Country, on St. *Luke's* Day again took up Arms, and aſſaulting the Abbey-Gates, ſet them on fire, and burnt them, with ſeveral Houſes adjoining: Which Riot they continued not only the next, but for two or three days following, till they had burnt down and deſtroyed all the Farms and Granges belonging to the Abbey, not only in *Bury*, but within three or four Miles round about it; together with all the Corn, and other Grain to a very great value. Complaint of which Inſurrections being made to the King, He thereupon iſſued out a Writ or Commiſſion

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The King upon Complaint of this Riot iſſues out a Commiſſion againſt all the Offenders, by which the Juſtices proceed with great ſeverity.

miſſion to Sir *John Stonore*, *Walter Friskeney*, and other Juſtices of *Oyer* and *Terminer*, by virtue of which, the Offenders in the ſaid Riot were condemned to pay the Sum of Forty Thouſand Pounds; and the ſaid *Richard Drayton* and the reſt of the Criminals that could be found, were committed to Priſon.

* Id. ib.

Many of the Rioters executed, and the Inhabitants condemned to pay the Convent 140000 *l.*

* And beſides this, there was alſo an Indictment preferr'd againſt the ſaid *Richard Drayton* and the reſt, for the Second Riot by them committed as aforeſaid; and this was upon a Commiſſion directed to the Earl of *Norfolk*, Lord Marſhal of *England*, *Thomas Burdolf*, and others, by virtue of which nineteen of the ſaid Rioters were taken and hanged, and one that would not plead preſs'd to death; beſides which all the Inhabitants of the ſaid Town, becauſe they did not hinder the ſaid Malefactors in the beginning of their Inſurrection (as they ought to have done) were condemned to pay the Abbot and Convent, towards their Loſſes and Damages the Sum of One hundred and Forty thouſand Pounds; a vaſt Sum even in our Times.

An Agreement is at laſt made between the Abbot and Townſmen for the paying 2000 *Marks* in the ſpace of 20 Years.

But this I ſuppoſe was done only to keep them in the greater Awe and Subjection to the Abby and Convent, and not with a deſign it ſhould ever be paid; for I find in the ſame Regiſter, that about four Years after, at St. *Edmund*'s-*Bury* there was an Agreement made between *Richard*, then Abbot, and his Convent, with the Townſmen of the ſaid Place, in the preſence of the Biſhop of *Wincheſter*, Lord Chancellor, the ſaid Sir *John Stonore*, and other of the King's Juſtices, That on Condition the ſaid Townſmen truly paid to the ſaid Abbot Two thouſand Marks within the ſpace of Twenty Years next enſuing (*viz.* One hundred Marks *per Ann.*) till the ſaid Sum ſhould be diſcharged, they would thereupon forgive all the reſt of the ſaid Damages, amounting to Twelve thouſand Two hundred Thirty three Pounds, Six Shillings and Eight Pence; ſo that in the mean while they continued quiet and peaceable, and did not diſturb the ſaid Abbot and his Succeſſors; and ſhould alſo reſtore to them certain Charters and Obligations, which they had forced from them by Dureſs to make under the Common Seal; all which thereupon were delivered up by them to be cancell'd, as they were accordingly done; and ſo this difference between the ſaid Abby and Town of St. *Edmunds-Bury* was wholly agreed and made up. This I take notice of, that ſo the Reader may obſerve, that the Fury of the Common People, (or *Mob*, as we now term them) when let looſe, was then as bad, or worſe than ever we have known it in our Time.

[1.] *Godwin de Præſul.* p 406.

The Death of *Walter* ABp. of *Canterbury.*

I can find nothing elſe remarkable that happen'd this Year, [1.] except the Death of *Walter Reginald*, Archbiſhop of *Canterbury* in the Month of *November*; he was a lover of Learning, but however is noted for his great Ingratitude to the late King *Edward*, to whom he had been Tutor, and was by the Pope preferr'd to the Archbiſhoprick purely upon His Recommendation; and yet upon the Queen's Arrival in *England*, he joined with Her againſt the King, and privately furniſhed Her with great Sums of Money: To him ſucceeded *Simon de Mepham* a *Kentiſh* Man, Dr. of Divinity, and Chanon of *Chicheſter*, who was a perſon eminent for Learning and ſtrictneſs of Life.

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We are come now to the Second Year of this King's Reign, in which the firſt thing, and that the moſt fortunate, we find to have been

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* Rot. Clauſ. 2 *Ed* 3. m 3. Dorſ.
[2] *Froiſſ.* ib. c 19. * Rot. Pat. 2 *Ed.* 3. part. 1. m. 15.
The King is married to the Lady *Philippe* of *Hainault* by *Proxy*
[3.] *H K* Col. 2552.
She comes to *London*, and goes to the K. at *York*, where She is married again.
[4.] *Sandford* Gen Hiſt. p. 159.
Her Coronation at *Weſtminſter*.

tranſacted, was * the Conſummation of His Marriage with the [2.] Lady *Philippe* of *Hainault*; * for tho' the Biſhop of *Coventry* and *Litchfield*, with other Perſons of Quality, were about *Autumn* laſt Year ſent over as Ambaſſadors to the Earl her Father, to demand her on the King's behalf, (which was preſently granted, as having been agreed on before) yet in this Treaty, and obtaining the Pope's Diſpenſation, and in ſolemnizing the Marriage by *Proxy* at the City of *Valenciennes*, about three or four Months were ſpent, ſo that the Royal [3.] Bride did not arrive at *London* until a little after *Chriſtmaſs*, where She was nobly received, and from whence She went immediately to *York*, where the King then was, and on the 24th of *January* they were again publickly married by the Archbiſhop of that City; [4] but She was not crowned Queen at *Weſtminſter* until the Firſt *Sunday* in *Lent*, upon the King's return from *York*.

* Rot. Clauſ. 2 *Ed*. 3. m. 3. Dorſ.
A parliament Summon'd to treat of certain *Articles* between *England* and *Scotland* but nothing is done; and why.
* Rot. Clauſ. 2 *Ed*. 3. m. 31. Dorſ.
Another Parliament held at *Northampton*, where a Shameful Peace is made with the *Scots*, and upon what Terms.
The Subſtance of King *Edward*'s Charter to the King of *Scots*.

The Reaſon of the Court's Continuing ſtill there, was, that a * Parliament had been ſummon'd thither on the *Sunday* after *Candlemaſs-day*, to treat of certain *Articles* then propounded between the Kingdoms of *Scotland* and *England*, at *Newcaſtle*; but nothing was done in it, becauſe the Biſhops and other Great Men did not appear, as is expreſſed in the next * Writ of Summons dated *March* the 5*th* enſuing, for a Parliament to meet three Weeks after *Eaſter* at *Northampton*, in which (as *Marimouth*, and *Walſingham* from him relates) there was a ſhameful Truce or Peace clapt up between the *Engliſh* and *Scots*, by the direction and contrivance of the Queen and *Roger Mortimer* Her Favourite, the Conditions of which were theſe; Firſt, That Prince *David*, only Son and Heir to *Robert* King of *Scots*, ſhould marry the Lady *Joan*, King *Edward*'s Eldeſt Siſter; in conſideration of which, He was to grant the *Scotiſh* King a Charter, to releaſe all His Claim of Superiority which *Edward* or His Anceſtors had or could pretend to over that Kingdom; this Charter being no where extant as I know of, but in the Manuſcript Chronicle of *Lanercoſt*; I ſhall here therefore give an Extract of it, having printed it at large in the *Appendix*: It begins with a Recital of the dangerous Wars, and great Miſchiefs that had for a long time fallen upon both Kingdoms by reaſon of that Claim of Superiority which He, the King of *England*, and His Predeceſſors had made over that of *Scotland*: To put an end to which, He by the Conſent of the *Biſhops*, *Earls*, *Barons*, and *Commons* of His Kingdom aſſembled in Parliament, grants to *Robert* King of *Scotland*, His Heirs and Succeſſors, that they ſhall hold that Kingdom free, and for ever diſcharged of all Subjection, and all Claim and Demand thereof from the King of *England*; His Heirs and Succeſſors, and further renounce for Himſelf, *&c.* by theſe Preſents all former Obligations, Agreements or Compacts made by or with any or either of their Predeceſſors concerning the Subjection of the Kingdom of *Scotland*, or its People both of the Clergy and Laity; and that if any ſuch Charters or Inſtruments ſhall be found, He wills that they ſhall for the future be accounted as null, void and of no value: Dated at *York* the Firſt Day of *March*, *A. R Secundo*. So that all Original Inſtruments of Homage from the Crown of *Scotland* being now loſt and deſtroy'd, if that the Charters of Homage made by King *John Bailiol* were not recorded on our Rolls in the *Tower*, we could not be able to prove (unleſs by the Teſtimony of our Hiſtorians) that ſuch Charters had ever been made.

There

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There were alſo ſome other *Articles*, [4.] tho' of leſs moment, than agreed to, as that the *Scotiſh* King ſhould renounce all Claim to *Northumberland* and *Cumberland*, &c. and the *Engliſh* Noblemen were to give up all their Right to the Lands which they or their Anceſtors had enjoy'd in *Scotland*, unleſs they would reſide there, and become Subjects to that Crown; but the *Scots* were ſo eager for this Peace, that in conſideration of theſe Grants, it was agreed on the behalf of the King of *Scotland*, That He ſhould pay King *Edward* the Sum of Twenty thouſand Marks: I ſuppoſe this was for the Damages they had committed upon *England* the laſt Year: However it ſeems *Mortimer* had all this Money, as will appear anon by the *Articles* exhibited in Parliament againſt him.

[4.] H. K. Col. 2558. Some other *Articles* of leſs moment then agreed on.

The Mariage between King *David* and the Young Lady was now made, yet King *Edward* would not ſtand to this Agreement when He came of Age, but the War with *Scotland* was again renew'd, as you will ſee hereafter.

In this Parliament likewiſe it was that [5.] King *Edward* began firſt to lay claim to the Kingdom of *France*; for His Uncle, King *Charles* the *Fair*, had lately deceas'd in *January*, after above ſix Years Reign; and though [6.] King *Edward* Himſelf acknowledged the force of the *Salick* Law, whereby the *Infant* Daughter of the ſaid *Charles* was excluded, yet the King inſiſted, that though that Law debarr'd Females from ſucceeding to that Crown, yet it did not exclude the Male-Heirs that deſcended from them, and therefore He claim'd it as next Heir-Male to His Uncle. But theſe Matters being fully diſcuſſed and allow'd of in this Parliament, it was thereupon ordained [1.] that *Adam d'Orleton*, Biſhop of *Worceſter*, and *Roger Northborough*, Biſhop of *Coventry* and *Litchfield* ſhould go into *France*, and there in the Name of King *Edward* their Maſter, claim that Kingdom, and as mnch as in them lay, hinder the Coronation of *Philip*, Son to *Charles* of *Valois*, the late King's Brother; but before the Ambaſſadors could reach *Paris*, *Philip* was crowned at *Rheimes*, ſo that their Journey prov'd in vain, and the King was forced to ſurceaſe His Claim for that time, though He again renew'd it when He found Himſelf ſtrong enough to make War on King *Philip* for that Crown, as you will find in its due place.

[5.] MS. Vet. in Bib. *Benn. Cantab.*

[6.] *Mezeray. An.* 1328.

[1.] Antiq. *Brit.* p. 228.

But I cannot here omit what the *French* Hiſtorians relate; That King *Edward*'s Ambaſſadors did now put in His Claim to the Crown on behalf of their Maſter, and that it being ſolemnly heard, and the Title of *Philip de Valois* alſo ſet forth before the Eſtates of the Kingdom, they adjudged it to the latter, as moſt agreeable to their *Salick Law*.

Some Matters of moment happening after the late Parliament, that required great Advice, there were new * Writs iſſued out bearing date *Auguſt 28th*, for another to meet at *Salisbury* on the *Sunday* next after the *Quindene* of St. *Michael*: In [2.] this Parliament there were made three Earls, *viz.* *John* of *Eltham*, the King's Brother, Earl of *Cornwal*; *Roger Motimer*, Earl of the *Marches* of *Wales*, by the Title of Earl of *March*; and the Chief **Bottiller*, or *Butler* of *Ireland*, Earl of *Ormond*: To this Parliament the Earl of *Lancaſter*, and the Lord *Wake* were alſo ſummon'd, but they refuſed to appear; the Earl, becauſe he having been appointed by Parliament the King's Chief Counſellor and Guardian of His Perſon, the Lord *Mortimer* had now taken to

*Rot. Clauſ. 2 *Ed.* 3. m. 31. Dorſ.

[2.] *T. W.* A Parliament called, wherein three New Earls were created.

* He is called in *Latin*, *Pincerna*.

The E. of *Lancaſter* and Lord *Wake* ſummon'd to this Parl. but refuſe to come.

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[3.] *H. K.* col. 2554 *T. W.* Whereupon they with the Earls of *Kent* and *Norfolk* raiſe Forces againſt *Mortimer*.

* *Walſingham* places it in *Bedfordſhire*, but that is not likely, being ſo far from *Salisbury* where the Court then was: I therefore think it was *Bradford* lying about 20 Miles from that City.

The E. of *Lancaſter* being deſerted by the Earls laſt mentioned, is forced to ſubmit himſelf to the Qu. and *Mortimer*.

himſelf the Royal Power, and would not permit him to come near the King, ſo as to adviſe and protect Him according to His truſt: The Lord *Wake* alledged other Grievances and Fears of the evil Deſigns of *Mortimer*, who then came armed to this Parliament, contrary to Law; [3.] Whereupon not only theſe two Lords, but alſo the Earls of *Norfolk* and *Kent*, the King's Uncles, and other Great Men, who had not conſented to their wicked Deſigns, raiſed Forces in the *Southern* Parts againſt *Mortimer*, and thoſe of his Party. Which when the new-made Earls heard, they likewiſe raiſing a ſtrong Force of *Engliſh* and *Welſh*, marched with them to *Leiceſter*, and there plunder'd and ſpoil'd the whole Country, in revenge to the Earl of *Lancaſter*, whoſe Eſtate lay there: But he himſelf was then coming from the *Southern* Parts with his Forces, with which he marched towards *Mortimer* and his Party, and encamped near * *Bradford*, intending thereabouts to give them Battel; but the Earls of *Norfolk* and *Kent* being afraid, left him, and ſubmitted themſelves to the Queen-Mother and *Mortimer*. Then the Earl of *Lancaſter* ſeeing himſelf thus deſerted, made his Submiſſion to the King before the whole Army; and was, by the Mediation of *Simon* Archbiſhop of *Canterbury*, and other Biſhops, reconciled, upon his making Oath with others of his Company, and giving Security by Recognizances, that neither he nor they would attempt any thing upon the Perſons of the King, the two Queens, nor of any other, Great or Small, of their Council, or that were about them: Nor would do, nor procure to be done, any Injury or Damage unto them, privately or openly; nor aſſent to the doing thereof: And would alſo ſubmit to the Judgment of the next Parliament for what he had done already.

[4.] *Mezeray ad hunc Ann.*

But before we conclude this Year, I muſt not forbear taking notice of a Foreign Affair of great moment; which was, [4.] that a great Quarrel aroſe between Pope *John* the *Two and Twentieth*, and the Emperor *Lewis* of *Bavaria*, concerning his Holineſs's Right of Crowning Him; For having accepted of that Dignity without the Pope's Approbation; He thereupon not only diſown'd His Authority, but alſo iſſued out a Bull of Excommunication againſt Him. Whereat the Emperor being incenſed, marched into *Italy* with an Army, to depoſe the Pope; and at firſt had ſuch good Succeſs as to put him to flight, and get one *Nicholas de Corbier*, a Fryar-*Minor*, to be choſen in his room. But the Emperor, through His own ill Conduct, being forced to leave *Italy*, the former Pope (who had been ſet aſide) again recovered his Power, and pronounced the Emperor *Excommunicated* and depoſed from the Empire: But as for the Anti-Pope, who called himſelf *Nicholas* the *Fifth*, He being deſerted by thoſe of his own Order, was, after divers Adventures, forced in the Year 1330. to ſurrender Himſelf to the Pope with a Rope about his Neck. Yet he was not pardon'd for all that, but was clapt up in Priſon, where he died ſome Months after. All which things, though they did not fall out in the ſame Year, yet I thought fit to put together in this place, for the better connection of this Story.

[1.] *Froiſſ.* ib.

So ſoon as *Philip* [1.] the new King of *France* was ſetled in His Throne, He thought it neceſſary to make His late Competitor King *Edward* to acknowledge His Title; wherefore He ſent Ambaſſadors into *England*, to ſummon Him to come over and do His Homage for the

Dutchy

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Dutchy of *Aquitain* and Earldom of *Ponthieu*. Theſe Ambaſſadors being arrived, and having delivered their Meſſage, the Matter was for ſome time debated in the Council; where tho' moſt of the Lords allowed the King's Title to the Crown of *France*, yet did they not think it ſafe either for Him or the Kingdom, at that time to inſiſt upon it, not being then in a Condition to make War with *France*. [2.] Whereupon, to ſecure the K's Right as much as poſſible, He appointed as His Procurator one of His Council, who made a Proteſtation on His behalf to this effect, *viz.*

Phil. the new K. of *France* ſummons K. *Edw.* to come and do Him Homage; which the K. is adviſed by His Council to perform.

[2.] Ord. Raynold. contin. Annal. Baron. ad An. 1340.

Yet makes a Proteſtation to ſave His Right to the Crown of *France* notwithſtanding.

'That for any Homage whatever, to be made to the Lord *Philip* of *Valois* (then bearing Himſelf as King of *France*) by King *Edward* of *England*, for the Dukedom of *Aquitain*, and the Earldom of *Ponthieu*, He did not, nor would thereby intend to renounce His Hereditary Right which He had to the ſaid Realm of *France*, or any way derogate from the ſame; even although thereupon Letters ſhould afterwards be Signed with either of His Seals. And He did further proteſt, that He would not do any Homage to the Lord *Philip* of His own free-will, but as He ſhould do it for the juſt fear He had of loſing the ſaid Dutchy and Earldom; and becauſe He was afraid that unleſs He ſhould do Homage to the ſaid *Philip*, He could not avoid other great Dangers, and irreparable Loſſes; Therefore in Confirmation of the Premiſes, King *Edward* cauſed His ſaid Procurator to take an Oath, by laying His Hands on the Holy Goſpels, before all thoſe of His Council then preſent.

This Caution being thus taken, [3.] Dr. *Graveſend*, Biſhop of *London*, was ordered to return an Anſwer to the *French* Ambaſſadors, to this effect: 'That the King His Maſter would, in Complyance with the Deſires of the *French* King, go over ſuddenly into *France*, and as to the Homage demanded, He would do His Devoir as He ought. Then the Ambaſſadors being well preſented and careſſed, took their leaves and returned home. And having given their King an Account of their Ambaſſy, He was ſo well ſatisfied with King *Edward*'s Complyance, that He preſently ſent His Envoys to the Kings of *Bohemia* and *Navarre*, inviting them to be preſent at this Ceremony.

[4.] *Froiſſ.* ib. cap. 25.

The King of *France* upon the News of K. *Edward*'s granting to come over and do His Homage, invites the Kings of *Bohemia* and *Navarre* to be preſent at it.

Then [4.] King *Edward*, accompanied with the Earls of *Norfolk* and *Kent*, His Uncles, and divers others of the Biſhops and chief Nobility of *England*, having left His Brother the Earl of *Cornwal* His Lieutenant, about the latter end of *May* paſſed over into *France*; and going to *Amiens* in *Picardy*, He was there honourably received by King *Philip*, and the other Kings and Princes, and Peers of *France*; who were to be witneſſes of this Homage and Submiſſion. All things being now ready for this Ceremony, King *Edward* came on the Sixth of *June* into the Choir of the Cathedral of *Amiens*, to do His Homage, in a Robe of Crimſon-Velvet embroider'd with Leopards of Gold, His Crown on His Head, His Sword by His Side, and Golden Spurs on His Heels; where King *Philip* of *Valois* ſat ready to receive Him on His Royal Throne in a Robe of Purple Velvet powder'd with *Flowers de Luces* of Gold, His Crown on His Head, His Scepter in His Hand, with the other Enſigns of Majeſty. But becauſe Hiſtorians very much differ about the Manner of the Performance of this Homage, I ſhall firſt relate what the *French* Writers ſay concerning it, and then proceed to the Account which *Froiſſart* and others give of it, different from

[4. Id. ib.

The King goes over to *Amie* purpoſe.

The Manner of this Ceremony.

* *Recueil de France*, p. 47.

The *French* Hiſtorians their Relation of it.

theirs. *Du * Tillet* tells us, that his Relation of it is taken from certain Antient Records in the Chamber of Accounts in *Paris*, and is as follows:

King *Edward* being come into the Church at *Amiens*, kneeled down before the King of *France*, to do His Homage in the accuſtomed Form; but before this was performed, *Monſieur de Noyers* made a Proteſtation on the behalf of King *Philip*, that He would not receive it for any thing which He or the late King *Charles* held, or ought to hold in *Gaſcoigne*, and *Agenois*. Then the Biſhop of *Lincoln*, for King *Edward*, made a like Proteſtation, That He did not thereby intend to renounce any Right which He had, or ought to have, in the Dutchy of *Guienne* and its Appurtenances. Then the Viſcount *de Melun*, Grand Chamberlain of *France*, read the Form of the Homage out of a Schedule, according to his Office; and when King *Edward* anſwered *Yea*, (as to what was demanded of Him) the Viſcount ſpoke for the King of *France*, and ſaid, that He accepted of the King of *England*'s Homage, ſaving the ſaid Proteſtation made on His Maſter's behalf. This being performed, King *Edward* put His Hands between thoſe of King *Philip*, who then kiſſed Him on the mouth, as Lord of the Feud.

* P. 36.

Froiſſart relates the Homage made by the King not to have been full and abſolute.

The learned * Mr. *Barnes* in his elaborate Hiſtory of this King's Reign, undertakes to give us a more particular Account of this Tranſaction; but ſince I do not find it in any of the Authors he there cites, I ſhall confine my ſelf to what they ſay farther concerning it. *Froiſſart*, in the place cited by our Author, ſays no more, than that it ſeems to him, *that King* Edward *perform'd this Homage only by word of Mouth, without putting His Hands within thoſe of the King of* France, *or of any other Prince or Prelate deputed by Him*: Nor that King *Edward*, according to the Advice of His Council, would do more, until He return'd into *England*, and had conſulted ſuch Privileges and Charters which might give Him ſome Light thereinto, and ſhew Him how and in what manner He ought to become a Liege-Man to the King of *France*. To which King *Philip* anſwered thus: *Couſin, We will not impoſe any thing upon You; what You have already done, ſufficeth for the preſent: So that upon Your Return, when You have found from the Records of Your Predeceſſors, You perform what They have done on the like Occaſions.* Having thus ſpoke, the Aſſembly broke up, the *French* King not then expreſſing any outward Diſcontent: Yet a little after, revolving in His mind the Affront this young Prince had put upon Him, in refuſing any abſolute Submiſſion, He reſolved to revenge it; and, notwithſtanding His Letters of Safe-Conduct, to ſeize His Perſon.

[5.] *H. K.* col. 2555.

The King having intimation of a Deſign to ſeize His Perſon, comes away on the ſudden.

* P. 132, 133.

But [5.] *Knyghton* relates, that *Henry Burwaſh* Biſhop of *Lincoln* (a Prelate of a deep Reach) having had ſome Intimation of it, adviſed the King immediately to withdraw; which He preſently did, and ſo left *France*, to the great Surprize of thoſe Princes that were then aſſembled. But notwithſtanding what this Author relates, we do not find any thing in the *French* Hiſtorians, but that this Homage was performed in the accuſtomed manner; as appears by the Inſtrument of it ſtill preſerved in the Chamber of Accounts at *Paris*: A Copy of which you may find in the learned *Monſieur Leibnitz* his *Codex Diplomaticus*, printed at large. But as for the Proteſtation then made by the Biſhop of *Lincoln* on King *Edward*'s behalf, you will find that preſently after, upon the *French* King's not being ſatisfied with it, He was forced further to acknowledge it by His Letters-Patents. But to proceed.

Tho' the *French* King would not come to an open Rupture upon this Action, yet He was reſolved not to deſiſt from preſſing the King to a more particular Acknowledgment as to the Nature of the Homage He was to perform; and therefore preſently diſpatched after Him the two Biſhops of *Chartres* and *Beauvois*, the Lord *Lewis* of *Cleremont*, the Duke of *Bourbon*, the Counts of *Harecourt* and *Tankervil*, as His Ambaſſadors, accompanied with ſeveral Knights and learned Men; who came to demand a further Performance and Satiſfaction, concerning the Homage that had been made to the King their Maſter. When K. *Ed's* Council had duly conſidered the Uſage of former Kings of *England*, in their doing Homage for the Dukedom of *Aquitain*, and found that things had been antiently ſo performed, as they were now demanded to be done; tho' moſt of them were offended at the great Arrogance of the King of *France*, and allow'd their Maſter a much better Title to that Crown; yet conſidering how unable *England* was to enter into a War with ſo powerful a Prince, they concluded it to be the wiſeſt Courſe for the King at preſent to ſtifle His Pretenſions, and to give His Brother of *France* all the Satiſfaction He required. Wherefore after a great deal of time ſpent in ſearching Records, and arguing *pro* and *con*, (the Ambaſſadors being fain to ſtay in *England* all that Winter) in the beginning of *May* they obtain'd a poſitive Anſwer; and the King was at laſt prevail'd upon to give them [2.] Letters-Patents under His Great Seal; wherein He not only acknowledged that He owed the King of *France Liege-Homage* for the Territories He held of Him, but alſo promiſed for Himſelf and His Succeſſors, Dukes of *Aquitain*, that the Homage ſhould be made in manner following: The K. of *England*, Duke of *Aquitain*, ſhould hold His Hands between the Hands of the King of *France*; and he that is to ſpeak for the King of *France* ſhall ſay thus: *You become Liege-Man to our Lord the King, here preſent as Duke of* Guienne *and Peer of* France; *and You promiſe to bear to Him Faith and Loyalty: Say, Yes.* And then the King of *England*, Duke of *Aquitain* and His Succeſſors, ſhall ſay *Yes.* And then the King of *France* ſhall receive the ſaid King of *England* and Duke of *Guienne* to the ſame Liege-Homage, with Faith and Troth by word of mouth; ſaving His own Right and all other. And the like He was to do for the Earldom of *Ponthieu* and *Monſtrieul.* And He further promiſed to bear unto Him Faith and Loyalty. Then the Letters-Patents conclude in this manner: And thus it ſhall be done and renewed as often as Homage ſhall be done; of which, We and Our Succeſſors, Dukes of *Guienne*, ſhall (after the ſaid Homage performed) deliver our Letters-Patents ſealed with Our Great Seal, if the King of *France* ſhall ſo require. And moreover, We promiſe in good Faith to hold and keep entirely the Peace and Accord, made between the King of *France* and the ſaid King of *England*, Dukes of *Guienne*, &c. Theſe Letters being ſealed with the Great Seal of *England*, were deliver'd to the *French* Ambaſſadors, and upon their Arrival were preſented to the King their Maſter; who order'd them to be laid up in His Chancery. I have been the more particular in relating the manner of this Homage, becauſe it is the laſt that ever was perform'd by any King of *England* to the Crown of

[1.] *Froiſſ.* ib.

The *French* K diſpatches Ambaſſadors to K. *Edward* to demand further Satiſfaction concerning the late Homage.

The King's Council adviſe Him to comply with theſe Demands; and upon what Account.

[2.] Id. ib. c. 24. *Du Cheſne* l. 14. p. 638.

The King grants a Charter to the K. of *France*, acknowledging that His Territories in *France* were held of Him by *Homage-Liege.*

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of *France*; as alſo, becauſe Dr *Brady* hath thought fit to leave it out in the laſt Volume of his Hiſtory.

[3.] *John Tinmouth.* Hiſt. Aurea. Chron. *MS.* in Bib. Lamb. *Ad Myromuth.*

A Solemn Torneament held in *Cheapſide*, where the Queen and Her Ladies were in great danger by the fall of a Seaffold.

I muſt not here forget, that whilſt the *French* Ambaſſadors ſtay'd in *England*, the King to ſhew them the Proweſs of the *Engliſh* Nation, entertain'd [3.] them with a Solemn Tournaement of Thirteen Knights on a ſide, which was perform'd in *Cheapſide*, between the Croſs and *Soper lane*, now *Queen ſtreet*, the Street being well cover'd with Sand, to keep their Horſes from ſlipping; acroſs the Street at the upper end, was erected a ſpacious Scaffold, made like a Tower, whereon the Queen and all the Chief Ladies of the Court ſat to behold the Performance; about the midſt of which happen'd an unlucky Accident that had like to have prov'd fatal to them all, for the Scaffold breaking under them, it put the Queen and Ladies into a very great Fright, but as it pleas'd God, they receiv'd no other Hurt. The King thereupon ſwore He would ſeverely puniſh the deceitful Workmen, but being ſoften'd by the Queen's Interceſſion for them on Her Knees, She at laſt, (tho with ſome difficulty) obtained their Pardon of Him.

[4.] Id Ib.

The ABp. declares all thoſe excommunicated who had any hand in the Death of the Bp. of *Exeter*.

As for Church Affairs, I find nothing worth obſerving, [4.] but that the Archbiſhop of *Canterbury* this Year held a General Synod of the *Clergy* of his Province at *London*, wherein he declared all thoſe *excommunicated* that had any hand in the Murther of *Walter Stapleton*, late Biſhop of *Exeter*, altho he had been already attainted by Act of Parliament. Nothing elſe conſiderable was done, but that the Feaſt of the Nativity of our Bleſſed Virgin, and ſome other Holy-days were ordered to be better obſerved.

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[5.] *T. W.*

* Rot. Clauſ. 4 *Ed.* 3. m. 41. Dorſ.

The Condemnation of the Earl of *Kent* in Parliament, and on what Occaſion.

[1.] Ib. cap. 23.

[2.] *T. W. H. K.* Col. 1255.

He is made believe by *Mortimer* and his Creatures, that the late King is ſtill alive.

This Year begins with the Unfortunate Death of *Edmund* Earl of *Kent*, the King's Uncle, [5.] who was now ſeized and accuſed of High Treaſon, in the Parliament that was * ſummoned to meet at *Weſtminſter* on the *Sunday* before the Feaſt of St. *Gregory* (or the 13*th* of *March*), and on the next day the ſaid Earl was by Judgment of his Peers in Parliament condemned to die; but the Hiſtorians of that time differ in the Crime whereof he was accuſed: *Froiſſ.* relates, [1.] That being Heir Apparent to the Crown, he was accuſed of conſpiring the Death of the King, his Nephew, by Poiſon; but this is altogether improbable, ſince this Earl had then an Elder Brother, *viz. Thomas* Brother to the Earl of *Norfolk*; and the Lord *John* of *Eltham*, the King's Brother, was alſo then alive, tho *Froiſſard* by a Miſtake ſuppoſes him to have been dead: I therefore rather agree with the major part of our *Engliſh* Hiſtorians, who relate, [2.] That he was found guilty, and condemned, for endeavouring to ſet the late King *Edward* his Brother (whom he ſuppoſed to be ſtill alive, and in Priſon) at liberty; and that this may not ſeem ſtrange, tho He had been dead above two Years, the Reader may obſerve, that the Lord *Mortimer*, either by himſelf, or others, made the ſaid Earl believe, that the late King was ſtill alive, notwithſtanding the Reports of His Death and Burial, and that He ſtill was ſhut up in *Corfe*-Caſtle, tho not ſuffered to be ſeen by any but thoſe who were intruſted with this Secret: Whereupon the Earl, deceived by a Fryar whom he had intruſted to look into this Matter, believing that His Brother was ſtill alive, entred into a Plot for His delivery; as appears by an Inquiſition taken before *Robert Howel*, the Coroner of the King's Houſhold, and which was alſo confeſſed by the ſaid Earl before the Peers in Parliament, That he had been enjoined by the *Pope* to do his endea-

vour

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vour to deliver his ſaid Brother out of Priſon; and he alſo confeſſed the Arch-Biſhop of *York* to have been privy to the Deſign, and to have promiſed to furniſh him with Five hundred Men to put it in execution; and that Sir *Robert de Landoun* was ſent by the ſaid Arch-Biſhop about this Affair; and that Sir *Robert* alſo affirmed, he had Five thouſand Men more ready to riſe for the ſame purpoſe: The Earl alſo farther accuſed divers others both of the *Clergy* and *Laity*, and among the reſt the Biſhop of *London*, to have been privy and aſſiſting to the ſame Deſign; and there were likewiſe ſome Letters of the Earl's directed to the late King his Brother, beſides his own Confeſſion, produced to the ſame effect. [3.] Upon all which, he was not only found guilty, and condemned for Treaſon, and his Heirs to be diſinherited; but was alſo executed the day following, by a Precept directed to the Bailiffs of the City of *Wincheſter*, who could find none to perform that ungrateful Office, though the Earl ſtood ready for Execution from Morning until Evening: So dear and well beloved he was by the Common People. At laſt a Wicked Wretch out of the *Marſhalſea*, to ſave His own Life, ſevered his Head from his Body, on the Nineteenth of *March*, * which was privately buried in the Church of the *Fryar-Preachers* of that City.

He confeſſe he had been enjoin'd by the Pope to endeavour the delivery of his Brother out of Priſon.

[3.] Id. ib. He is found guilty, and executed at *Wincheſter*.

* Dug. Baron. Vol. I. p. 147.

So that *Du Cheſne* the *French* Hiſtorian is miſtaken, who relates, That he was drawn, hang'd, and quarter'd and his Quarters ſet upon the Gates of four of the Chief Cities of *England*, and his Head upon *London-Bridge*.

But the Year after, † the Lord *Edmund*, Son and Heir to this Earl, petition'd the King in the next Parliament, held in the Fourth Year of His Reign, That the Judgment given againſt his ſaid Father, might for the Errors therein be reverſed; and he and the Lady *Margaret* his Mother, in their ſeveral Petitions ſet forth, 'That his ſaid Father, her 'Husband, was falſly by *Roger Mortimer*, Sir *John Maltravers*, and other 'his Accomplices, made to believe that King *Edward* was alive, after He 'was murther'd, with deſign to deceive him into a pretended Contri'vance to releaſe Him out of Priſon, for which he loſt his Life and 'Eſtate at the laſt Parliament at *Wincheſter*, as *Mortimer* had alſo con'feſſed to the People at his Death, and that he died wrongfully. Whereupon *Edmund* his Son was reſtored to the Honour and Lands of his Father, and the Counteſs to her Dowry.

† Rot. Parl. 4 Ed. 3. m. 11, 12. Dorſ.

His *Attainder* is not long after reverſed in Parliament, and for what cauſe.

But leſt the Reader may wonder how one ſo nearly related to the King ſhould thus loſe his Life and Fortune, for a Plot that was impoſſible to be executed, you are to take notice, that this was brought about by the Contrivance and Power of the Queen Mother, and the Lord *Mortimer*, Her Favourite, who hated and fear'd the Earl, that ſo openly oppos'd their Evil Deſigns, and therefore they rais'd this Falſe Report on purpoſe to draw in the Credulous Earl and others into this Fooliſh Plot; and alſo when he was condemned, *Mortimer* never left urging the Queen to have him ſpeedily executed without the King's knowledge. This Earl, though in himſelf a Prince of great Lenity and Good Nature, was the leſs lamented, because his Servants were very oppreſſive to the Common People, and many great Diſorders were committed in his Family; for certainly 'tis not enough for a Man of High Quality to do well himſelf, but he ought to take care that thoſe who are under him do ſo likewiſe, ſince he is liable to cenſure for their Miſcarria-

The Reaſon of the late Earl's ſudden Execution.

[4.] *T. W.* Hypod Neuſt.

ges,

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ges, which he might either prevent or puniſh if he pleaſed. His Death was alſo looked upon by ſome as a Juſt Judgment upon him for his joining with the Queen and *Mortimer* againſt the late King his Brother, by which means He was depos'd and now ſuffered himſelf, for endeavouring to deliver him when it was too late.

[5.] *T. W.* The ABp. of *York* and Bp. of *London*, with ſeveral Lay-men accuſed of the ſame Crime, are acquitted, but others are condemned to perpetual Impriſonment.

I ſhall ſay no more concerning this Unfortunate Buſineſs, [5.] but that the Archbiſhop of *York*, the Biſhop of *London*, and the Abbot of *Langdon*, with ſome other Perſons of Quality, all accuſed for the ſame Crime, were acquitted; and though the Eſtates of the Lay-men (ſuppoſed to be concern'd) were for a time ſeized into the King's hands, yet were they not long after reſtor'd; however the Earl of *Lincoln*, with ſome others, were apprehended about this Matter; but ſince nothing could be made out againſt them, they were ſoon diſcharged; ſo that except the Earl of *Kent*, none loſt their Lives for this fooliſh and impoſſible Deſign, but divers did their Liberties: For Sir *Robert de Taunton*, with ſome Preaching and *Carmelite* Fryars concerned in the ſame Plot, were condemned to perpetual Impriſonment; but the *Provincials* of both thoſe *Orders* were baniſhed the Kingdom for ever.

[1.] Buchan. l. 8. The Deceaſe of *Robert Bruce* K. of *Scots*. *Chron. de Lan.

As for Foreign Affairs, about [1.] the beginning of *July* this Year, a little before the Marriage of His Son *David*, *Robert Bruce*, King of *Scotland*, having been long troubled with the *Leproſy*, deceaſed, after He had reigned four and twenty Years, notwithſtanding all that the Three *Edwards*, ſucceſſively King's of *England*, could do againſt Him: He was certainly a Prince of great Prudence and Courage, yet He is noted by our *Hiſtorians*, as one of no great Fidelity in keeping Oaths, Leagues, or Treaties of Peace, further than they ſtood with His Intereſt.

[2.] Chron. de Lan.

Not long after the Death of this Prince, [2.] the King ſent the Earl of *Arundel*, then Warden of the *Marches*, into *Scotland* with ſufficient Forces, but he was attacqued by Sir *James Douglas* at a Place called *Imtelly*, in the Foreſt of *Tedworth*, where Sir *Thomas de Richmond* one of the Earl's Chief Officers being ſlain, he was forced to retreat into *England* with the loſs of many of his Men.

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[3.] *Pol. Vergil. Stow.* The K. goes over privately into *France* to viſit ſome *Holy Places*.

In [3.] *Eaſter Week* this Year, King *Edward*, to perform ſome Vows He had made, reſolved to viſit ſome *Holy Places* in *France*, wherefore leaving His Brother the Earl of *Cornwal*, His Lieutenant during His abſence, He on *Thurſday*, in the ſaid *Eaſter Week*, paſſed over privately into *France*, accompanied by *John Stratford* Biſhop of *Wincheſter*, and the Lord *William Montacute*, afterwards Earl of *Saliſbury*, being all diſguiſed like Tradeſmen or Merchants, the whole number of their Retinue not exceeding a dozen perſons.

[4.] *Du Tillet. Recueil Traictez, &c.* p. 47. The *French* Hiſtorians give a different Relation of this Voyage. A Final Peace made with *France*, and the *Articles* of it.

But the [4.] *French Hiſtorians* give us another Account why the King went then over into *France*, *viz.* To appeaſe the War that was then begun in *Guienne*, upon His ſo long delaying to ſend over the Declaration of His *Homage* within the time prefixt, and to anſwer this Contravention of the former Treaty in divers Particulars at firſt required of Him: ſo that King *Philip* having cauſed Him again to be ſummoned, upon His not appearing, He had now ſent His Brother *Charles*, Earl of *Alenſon* to lay ſiege to the Town of *Xaintes*, which King *Edward* underſtanding, to put a ſtop to this War, began a new Treaty of Peace, for the perfecting whereof, He had ſome time before ſent His *Ambaſſadors* into *France*, with whom the following *Agreement* was made on the Ninth of *March* this Year, being to this effect.

That

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1. That [5.] King *Philip* ſhould grant a full Repeal of Baniſhment to the Principal Authors of the late Diſturbance in *Guienne*, named in the Treaty of the Year 1326, according to the Promiſe made by His Predeceſſor *Charles* the *Fair*.

[5] Id. ib. p. 47. *Du Cheſne's* Hiſt. *d' Angl.*

2. That the Treaties preceding, which import, that thoſe who were baniſhed by the King of *France* or His *Court*, ſhould not be received nor conceal'd in *Guienne*, ſhould be kept inviolably. So that even without the Approbation of King *Edward*, the Seneſchals of *France* ſhould have power notwithſtanding to puniſh His Officers and Miniſters for Faults committed in their Precincts, as by Right of Sovereignty they ought; and the King of *France* doth eſpecially grant, that all the Liberties, of which the ſaid Seneſchals have been in Poſſeſſion before this Treaty, ſhould be conſerved unto them accordingly.

3. That as to the Sums of Sixty Thouſand Pounds of the one Part, and of Fifty Thouſand Marks *Sterling* on the other, which King *Edward* owed unto King *Philip*; Reaſon ſhould be done by Payment or Compenſation.

4. The Fourth is concerning the Quality, and Form of Homage for *Guienne* and *Ponthieu*, &c. which ſhould be renewed on every Succeſſion.

5. The Fifth is concerning the demoliſhing of the Caſtle of St. *Croix*, *&c.* according to the Form preſcribed; and that the other Points of the Form of Treaties remaining ſtill to be perfected, ſhould be reſpectively accompliſhed.

6. That the Siege of the Town of *Xainctes* ſhould be raiſed, ſo ſoon as King *Edward* ſhould have ratified the preſent Accord, *&c.* This Treaty was followed with another made at *Bois de Vincennes* the Thirtieth day of *May* following; and thereby it was further agreed, That the Profits of the Land of *Guienne*, which for Default of Homage were ſeized by the late King *Charles*, and converted to His uſe, ſhould be ſequeſtred in the Hands of two Commiſſioners, deputed on the behalf of either of the Kings, till all their Differences and Proceedings ſince the Truce, in the Year 1324, ſhould be amicably decided.

To conclude, King [1.] *Edward* having by His Ambaſſadors made that Declaration of His Homage already mentioned, went over in Perſon into *France*, under pretence of a Pilgrimage; and thereby put a Stop to the War already begun, by making a Viſit *incognito* to the King of *France*. [2.] In conſideration of which, King *Philip*, at His requeſt, remitted to Him the demoliſhing the Caſtle of St. *Croix*, and others mentioned in the late Articles; but the Town and Caſtle of *Xainctes* were not reſtor'd until the Year following; and the reſt of the Towns and Caſtles in thoſe Parts, which had been taken from the King's Father, were never reſtored, but remain'd all along under Sequeſtration; which was the Occaſion of a freſh Quarrel between theſe Princes, as you will find hereafter. The King having thus concluded His Affairs in *France*, as well as He could at that time, return'd into *England*; and immediately after held a great Tournament at *Dartford* in *Kent*, thereby to exerciſe His Nobles in Feats of Arms.

[1.] *Du Cheſne* ib.
King *Edward* goes over privately to confirm theſe Articles.
[2] ib. *Du Tillet*
Whereupon K. *Philip* reſtores ſeveral Places, and demoliſhes others.

Some time after this, [3.] on the Fifteenth of *June*, Queen *Philippa* brought forth Her Firſt-born Son at *Woodſtock* near *Oxford*, who was baptized by His Father's Name, and afterwards obtain'd the Ap-

[3.] *John Tinmouth* Hiſt. Aur.
T. W. *ſub An* 1329. *ſed falſo*

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Vid. H. K *Col.* 2558:

Prince *Edward* born; the reaſon why He is called the Black Prince.

The K. reſolves to take the Government into His own Hands.

[4] *H. K.* Col. 2552.

i. W.

The Exorbitant Power of the Queen and the Lord *Mortimer*.

pellation of the *Black* Prince; being ſo called not from His Complexion, for that was very Fair, but from His Terrible Actions; which made His Enemies the *French* give Him this Sirname, that hath ſince ſo generally obtain'd among the Hiſtorians of thoſe Times.

The King being now Eighteen Years of Age, and ſtrengthen'd by a Son, was reſolv'd to take the Government of the Kingdom into His own Hands; but the Exorbitant Power of the Earl of *Marche* ſtanding in His way, He was in the firſt place to be removed, before the King could become Maſter of Himſelf or His Affairs. For indeed ever ſince His Acceſſion to the Crown, He [4] had no more than Title of King, His Mother and the Lord *Mortimer* diſpoſing of the Treaſure of the Kingdom, and beſtowing all Places of Truſt juſt as they thought fit; not conſulting Him: So that this was a very difficult Matter to be brought about. For *Mortimer* had not only got a vaſt Eſtate by Inheritance, and made a large Addition to it by the Attainder of the late Earl of *Kent*; but he had ſo ſtrengthened himſelf by a great Multitude of Alliances and Dependents, that his Retinue exceeded that of the King's, towards Whom he carried himſelf more like a Superior than His Subject; which ſo far incenſed the young Prince, that He only watched for an Opportunity to ſurprize him; which, not long after, thus offer'd it ſelf.

* Rot. Clauſ. 4 *Ed* 3. m 23. Dors.

A great Council held at *Nottingham*; where the K. reſolves to ſeize the Lord *Mortimer*; with the manner of it.

[5] *Stow ad hunc Ann.*

A * great Council of Lords being aſſembled at *Nottingham*, Fifteen days after *Michaelmaſs*, the Lord *Roger Mortimer* appeared there with ſo ſtrong a Guard, and was likewiſe ſo protected by the Queeen-Mother, that it ſeemed almoſt impoſſible to ſeize him: [5] For She had aſſigned him Lodgings in the Caſtle, of which She Her Self every Night kept the Keys; neither the King Her Son, nor any of the Princes of the Blood being allowed to lodge in it. Whereby he became ſo odious to all Sorts of Men, that he was looked upon as the Debaucher of the Queen, the Murtherer of the late King, and the Deſigner of the Ruin of this. All which being repreſented to Him by the Lord *Montacute*, and ſome others of His Faithful Servants, He immediately thereupon gave that Lord a Command to take to his Aſſiſtance ſome bold and reſolute Perſons, and to ſeize *Mortimer* where ever they could handſomely light upon him. The Perſons therefore he choſe for this purpoſe, were Sir *John*, Sir *Edward*, and Sir *William Bohun*, all three younger Brothers to *John* Earl of *Hereford* and *Eſſex*, High Conſtable of *England*; the middlemoſt of them being then Vice-Conſtable of *Nottingham* Caſtle. Beſides theſe, there were engaged in it *John* Lord *Molins*, Sir *Robert Vfford*, and Sir *John Nevil*. But without the Aſſiſtance of Sir *William Eland*, the Conſtable of the Caſtle, no Admittance could be had into it; who being ſounded by the King's Order, he ſeemed willing to conſent to any thing that might be for His Service: But as for the Keys of the Caſtle, he ſaid, they were not in his Power, being every Night carried to the Queen, who laid them under Her Pillow until the Morning. But to make ſome amends for this, he diſcovered to them a certain ſubterraneous Vault or Paſſage, without the Weſt ſide of the Caſtle, which led up to the *Keep* or Chief Tower of it. Upon which intelligence, one Friday-night being the Nineteenth of *October*, the King, with a ſelect Number of truſty Followers, (of whom the Conſtable and the Perſons above-mentioned were the Chief) [1.] enter'd the Caſtle by this Paſſage; (which is ſhewn

The K. enters the Caſtle by a Subterraneous Paſſage, where he apprehends *Mortimer* and his Adherents.

[1.] *H. K.* Col. 2556.

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ſhewn at this day by the Name of *Mortimer's* Hole) where, after ſome Reſiſtance, Sir *William Eland* ſeized the Earl of *Marche*, who was then in a Room adjoining to the Queen's, diſcourſing with *Henry* Biſhop of *Lincoln*; (and not in Her Chamber, going to Bed, as ſome Modern Authors falſly relate.) But the Lord *Montacute* finding ſome Reſiſtance from his Attendants before it could be executed, ſlew Sir *Hugh Turplington*, Steward of the King's Houſhold, and Sir *John Monmouth*, who were Creatures of *Mortimer*. On the King's Party, Sir *John Nevil* was wounded, but not (as ſome ſay) ſlain; for it will by and by appear, that he was after this alive.

Stow ad hunc Ann.

The Queen is much concern'd at his Apprehenſion, and intercedes for him, but in vain.

The Queen-Mother being then in Bed, heard the Noiſe of this Rencounter, and ſuppoſing what the Matter was, preſently got up; and finding the King there, thus addreſſed Her Self to Him in *French*: *Bel Fitz, Bel Fitz, ayes pitie du Gentile Mortimer* But, it ſeems, He took no notice of Her Intreaties, for he was hurried away, and brought before the King; who immediately commanded him to be put into Safe Cuſtody in the Caſtle. Whereupon all the Keys were forthwith ſecured, that ſo none might go out to diſcover what was done, till the reſt of *Mortimer*'s Abettors were taken. So the next Morning, by the King's ſpecial Command, two of his Sons, Sir *Edmund* and Sir *Geoffrey*, were ſeized in the Town, together with Sir *Oliver Byngham*, Sir *Simon Bereford*, and Sir *John Daveril* Conſtable of *Corfe*-Caſtle, who had been an Evidence againſt *Edmund* late Earl of *Kent*, and given him falſe Information, that the late King his Brother was ſtill alive. The ſame day *Mortimer*, with the reſt taken upon his Account, were conveyed with a ſtrong Guard towards *London*, to the great Satisfaction of all the Spectators; And being brought thither, were committed cloſe Priſoners to the Tower; and ſo this Council was thereupon diſſolved.

His Abettors are alſo apprehended together with two of His Sons.

The K. ſummons a Parliament for the Trial of *Mortimer*, with the Form of the Writ.

In the mean while the King being come to *Leiceſter*, and finding it neceſſary to call a Parliament for the Tryal of the Lord *Mortimer*, iſſued out from thence His * Writs of Summons, to this effect: *That from His taking upon Him the Government of the Kingdom to that time, the Buſineſs that concerned Himſelf and the State of the Nation had been managed to His Damage and Diſgrace, and the Impoveriſhing of His People: Wherefore His Conſcience urging Him, and not being able any longer to endure it, but deſiring with His whole Heart to Reform the State and Government of the Kingdom, according to Right and Reaſon, to the Honour of God, the Peace and Tranquillity of Holy Church, and the whole People of the Kingdom; by Aſſent of the Prelates and Great Men aſſiſting Him, He called this Parliament*, &c. *Then Apologizing for His having ſhort'ned the Day of Summons, He ſaid, That it was from the fervent Deſire He had, that the Buſineſs concerning the State of the Kingdom might be happily ordered and diſpatched.* This Writ being of an Unuſual Form, I have here given you at large; and thoſe that deſire to ſee it in the *Latin* Original, may either conſult the Roll, or elſe read the Tranſcript of it in Dr. *Brady*'s * Appendix to the laſt Volume of his Hiſtory.

* Rot. Clauſ. 4 *Ed.* 3. m. 19. Dors.

* N. 82.

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The *Articles* exhibited in Parliament againſt the Lord *Mortimer*.

The *Parliament* being aſſembled at *Weſtminſter* according to the Summons, the firſt thing we find done in it, was, the exhibiting the following *Articles* againſt the Lord *Mortimer*, which I ſhall here give you, tranſlated from the *French* Original in the *Tower*; the Title runs thus;

Theſe are the Treaſons, Felonies and Miſchiefs done to Our Lord the King, and His People, by Roger Mortimer, *and Others of his Company.*

*Rot. 1. Parl. 4 *Ed.* 3. n. 1. printed in Dr. B's *Append.* in *French*, n. 83.

* FIrſt, Whereas in the *Parliament* holden at *Weſtminſter* next after the King's Coronation, it was ordained, That four Biſhops, four Earls, and ſix Barons ſhould remain with the King to adviſe Him, and that four ſhould ſtill be with Him, *viz.* One Bp., one Earl, and two Barons at leaſt, and that no great Buſineſs ſhould be done without their Aſſent; after which Parliament the ſaid *Roger* not having regard to the ſaid Aſſent, uſurped to himſelf Royal Power, and the Government of the Realm, above the State of the King, and put out and placed Officers in the King's Houſe, and other where throughout the Kingdom, at his pleaſure, ſuch as were of his Party, and ſet *John Wyward* and Others about the King, to obſerve His Actions and Words; ſo as He was encompaſſed by His Enemies, that He could do nothing as He would, but only as a Man under Guard or Reſtraint.

2. Alſo, whereas the King's Father was at *Kenelworth*, by order and aſſent of the Peers of the Land, to ſtay there for His eaſe, and to be ſerved as ſuch a great Perſon ought to be; the ſaid *Roger* by his Uſurped Power, which he exerciſed over Him at his pleaſure, order'd that He ſhould be ſent to *Berkley*-Caſtle, where, by him and his Confederates, He was Traiterouſly, Feloniouſly, and falſly murthered and kill'd.

3. Alſo the ſaid *Roger* by his Uſurped Royal Power, forbad by the King's Writ under the Great Seal, That any ſhould come to the Parliament at *Salisbury* with Force and Arms, under pain of forfeiting whatever they had to the King; yet thither he came with others of his Party with Force and Arms to the ſaid Parliament, contrary to the Prohibition aforeſaid; wherefore divers *Peers* of the Land, as the *Earl* of *Lancaſter* and Others, knowing the manner of his coming, would not be there: And whereas the *Prelates* were aſſembled in one Houſe, to conſult about the Buſineſs of the King and Realm, the ſaid *Roger* broke open the Doors of the ſaid Houſe with Armed Men, upon the *Prelates*, and threatned them with Life and Member, if any of them ſhould be ſo hardy as to ſpeak or do any thing contrary to his Pleaſure in any Point. And in the ſame *Parliament* by the ſaid *Uſurped Power*, he cauſed the King to make him Earl of *Marche*, and to give him and his Heirs ſeveral Lands in Diſheriſon of the Crown; and afterwards the ſaid *Roger*, and thoſe of his Party, led the King armed againſt the Earl of *Lancaſter*, and other *Peers* of the Land, as far as *Wincheſter*, when they were coming to the *Parliament* at *Salisbury*, ſo that the Earl, and other *Peers*, to avoid the Evils that might have happen'd, out of regard to the King, departed and went toward their own Countries, grieving that

they could not ſpeak with, or adviſe their Liege Lord as they ought to do.

4. Alſo the ſaid *Roger*, by the ſaid *Vſurped Power*, cauſed the King to march forcibly againſt the ſaid Earl, and other *Peers* of the Land, who were appointed to be with the King, to adviſe Him; and ſo proſecuted them with Force, that the ſaid Earl and ſome others of his Company, that wiſhed well to the Kingdom, ſubmitted to the *King*'s Grace, ſaving to them Life and Member, and that they might not be diſinherited, nor have too great a Fine ſet upon them; yet He cauſed them to be fined ſo grievouſly, that half their Lands, if ſold outright, would only pay it; and Others He cauſed to be driven out of the Nation, and their Lands to be ſeized, againſt the Form of the Great Charter, and Law of the Land.

5. Alſo, whereas the ſaid *Roger* knew well the *King*'s Father was dead and bury'd, he by others of his *Party* in deceivable manner, inform'd the Earl of *Kent*, that He was alive; wherefore the Earl being deſirous to know whether it was ſo or not, uſed all the good ways he could to diſcover the truth, and ſo long, till the ſaid *Roger* by his Uſurped *Royal Power*, cauſed him to be apprehended in the *Parliament* holden at *Weſtminſter*, and ſo perſued him, as in that *Parliament* he procured His Death.

6. Alſo the ſaid *Roger*, by his Uſurped *Royal Power*, cauſed the *King* to give to him and his Children, and Confederates, Caſtles, Towns, Mannors and Franchiſes in *England*, *Ireland*, and *Wales*, in decreaſe of the Revenues of the Crown.

7. Alſo the ſaid *Roger* in deceivable manner cauſed the *Knights* of Shires, at the *Parliament* at *Wincheſter*, to grant to the *King* one Man at Arms out of every Town of *England*, that anſwered in the Court of the *Eyre* by four Men, and the *Provoſt*, (*i. e.* the Rieve or Bailiff of the Lord of the Mannor) to ſerve at their own Coſt, for a Year in His War in *Gaſcoigne*; which Charge he contrived for the Advantage of himſelf and Party, in deſtruction of the People.

8. Alſo the ſaid *Roger*, by his ſaid Uſurped Power, cauſed Summons to be ſent to many great *Knights* and Others, that they ſhould come to the *King* where ever He was; and when they came, he cauſed them to be charged to prepare themſelves to go into *Gaſcoigne*, or fine at his pleaſure; which Fines were for the benefit of him and his Party.

9. Alſo the ſaid *Roger* falſly and maliciouſly made Diſcord between the *King*'s Father and His *Queen*; and poſſeſſed Her, that if She went to Him, She ſhould certainly be killed with a Dagger, or otherwiſe murthered; and by this way, and his other Subtleties, he ſo ordered it, that She would not come at Her Liege Lord and King, to the great diſhonour of Her Son and Self, and great damage of the whole Realm, perchance in time to come, which God forbid.

10. Alſo the ſaid *Roger* by his ſaid Uſurped *Royal Power*, had cauſed to be taken for him and his Party, the King's Treaſure, as much as he pleaſed, without tale, in Money and Jewels, in deſtruction of the King, ſo that He had not wherewithall to pay for His Victuals.

11. Alſo the ſaid *Roger*, by the ſaid *Vſurped Power*, cauſed to be ſhared between him and his Confederates the Twenty thouſand Marks which came

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came out of *Scotland*, for the *Articles* of Peace, without any thing received by the King.

12. Alſo the ſaid *Roger*, by his above-mentioned *Royal Power*, received the *King*'s Duties, and Purveyance through the Kingdom, as if he had been *King*; and he and his Party had with them double the Company of Men and Horſe that were with the King, in deſtruction of the People, not paying for their Quarters any more than they themſelves pleaſed.

13. Alſo the ſaid *Roger*, by his ſaid *Royal Power*, cauſed the *King* to grant to the mounting of Two hundred *Iriſh* Chivalers, or Horſe, being of thoſe that killed the Great Men of *Ireland* and Others, who were in the *King*'s Faith; whereas the *King* ought immediately to have revenged their Deaths, rather than pardoned them, contrary to the Statute and Aſſent of *Parliament*.

14. Alſo the ſaid *Roger* contrived to have deſtroy'd the King's ſecret Friends, in whom He had moſt confidence; and he ſurmiſed to the King, in the preſence of the Queen His Mother, the Biſhops of *Lincoln* and *Salisbury*, and Others of His Council, that His ſaid ſecret Friends had excited Him to combine with his (the ſaid *Roger*'s) Enemies beyond Sea, in deſtruction of the Queen His Mother, and of him the ſaid *Roger*; and this he affirmed ſo impudently to the *King*, that He could not be believed againſt what he had ſaid; and for theſe things, and many others, not as yet fit to be declared, he had been apprehended: Whereſore the *King* charged the *Earls* and *Barons*, the *Peers* of the Land, as theſe things concern'd Himſelf, themſelves, and all the People of the Realm, to do Right and true Judgment upon him for the Crimes above written, as being notorious and known to be true, to themſelves, and all the People of the Kingdom.

Theſe *Articles*, tho ſomewhat long, I have here ſet down at large, becauſe they give greater light to divers Tranſactions in the three firſt Years of this King's Reign, than is to be had any where elſe.

The Earls and Barons give Judgment againſt *Mortimer*, that he ſhould be hanged, *&c.*

Then the *Earls*, *Barons*, and *Peers*, having examin'd theſe *Articles*, came into *Parliament* before the King, and they all delivered their Opinion, by one of their Body, That all things contained in the ſaid *Articles* were notorious, and known to themſelves, and all the People; wherefore they, as Judges in *Parliament*, by aſſent of the King, did award and Judge the ſaid *Roger* as a Traytor and Enemy to the King and Kingdom, to be drawn and hang'd, and commanded the Earl Marſhal to execute the Judgment, and the Mayor, Aldermen, and Sheriffs of *London*, with the Conſtable of the *Tower*, and thoſe who had the guard of him, to be aiding and aſſiſting with the Earl Marſhal at the Execution; which was performed accordingly on the Nine and twentieth of *November*, at a place then called the *Elms*, and now *Tyburn*: His Body, after it had hung two Days, and two Nights, was granted to the Fryar-Minors, who buried it in their Church, now called *Chriſt-Church*.

He is executed at *Tyburn*.

His Character.

This was the end of this Ambitious and Cruel Man, who made uſe of the Power and Favour of his Prince, (as too many Favourites too often do) to the enriching of himſelf, and the deſtruction of all thoſe that oppoſed him. The Reader may from hence obſerve, that as he had cauſed others to be condemned, without making any Defence, ſo was

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he likewiſe ſerved himſelf; or, as my Author remarks, ſuch was the violence of the Factions in thoſe times, that all thoſe Noblemen that had ſuffered death, were condemned without ever being heard, and conſequently without any Legal Conviction; and it was for this Reaſon, that in this King's Reign, four and twenty Years after, this Judgment was reverſed in another *Parliament*, as erroneous, as appears by the * *Parliament Roll.* But to return to the reſt of the Acts.

* Rot. Parl. 28 Ed 3. n 9, 10, 11, 12.

The † King in this *Parliament* charged the *Earls*, *Barons* and *Peers* to give right and true Judgment againſt *Simon de Bereford*, Knt., who had been aiding and adviſing with *Roger Mortimer* in all the *Treaſons*, *Felonies*, &c for which he was afterwards adjudged to die, as was notoriouſly known to the ſaid *Peers*; whereupon they came before the King in *Parliament*, and ſaid all with one Voice, *That the ſaid* Simon *was not their Peer, and therefore they were not bound to judge him as a Peer of the Land:* But ſince it was a thing ſo notorious and known to all, that he was adviſing, aiding and aſſiſting the ſaid *Roger* in all the Felonies, Treaſons and Villanies aforeſaid, which were to the Uſurpation of *Royal Power*, the Murther of their *Liege Lord*, and deſtruction of the *Royal Blood*, and that he was guilty of divers other Felonies and Robberies, and principal maintainer of Robbers and Felonies; they as Peers and Judges of *Parliament*, by aſſent of the King, do award and adjudge him, as a Traytor and Enemy to the King and Realm, to be drawn and hang'd; and the Earl Marſhal was commanded to do Execution; which was done accordingly on *Munday* next after the Feaſt of St. *Thomas* the *Apoſtle*.

† Rot. Parl. 4 Ed 3. n 2.

Sir *Simon de Bereford* being alſo impeached, the Lords at firſt refuſe to try him, and why.

Yet he is condemned to be hanged, and he is executed accordingly.

But it appears by the ſame Parliament-Roll, that it was then alſo declared, That tho the Lords and Peers in Parliament had for this time in the King's preſence, proceeded as Judges to give Judgment upon thoſe that were no Peers; yet hereafter this ſhould be no Precedent to draw them to give Judgment on any other but their Peers, in caſe of Treaſon or Felony.

Yet declare that this ſhould not be drawn into a Precedent.

Then the Peers proceeded and paſſed Judgment upon the principal Actors in the Murther of the late King *Edward*, and the Death of *Edmund* Earl of *Kent*; and for the latter of theſe * Sir *John Maltrevers* being found guilty in making him falſly to believe, that the ſaid King was alive, the ſaid *John* was ſentenced to be drawn, hanged and beheaded as a Traytor, when and where ever he ſhould be found; and the Peers prayed the King to iſſue forth His Proclamation, That any one who could take him alive, and bring him to the King, ſhould have a thouſand Marks; and if he could not be taken alive, he that ſhould bring his Head, ſhould have Five hundred Pound of the King's Gift.

* Ib. n. 3.

The *Peers* give Judgment on the Murtherers of the late K. *Edward*; as alſo on thoſe who had a hand in the Death of the Earl of *Kent*; Sir *John Maltravers* being found guilty of this, is condemned (tho' abſent) to be hanged, &c.

But it ſeems ſtrange, that this Man who is reported by all our Hiſtorians, to be as much concerned as any in the Murther of King *Edward*, ſhould not be now condemned for that, but another leſs Crime; which makes me ſuppoſe, that there was not ſuch ſufficient proof made out againſt him of that Murther, as there was of the other: But notwithſtanding this Price which was put upon his Head, it is certain [1] he was never taken, but lived a baniſhed Man in *Germany*, at the time when my Author wrote his Chronicle.

But he died in Baniſhment.

[1] *Ad. de Myrimeuth, ad hunc Ann.*

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* Ib. n. 4. The like Judgment given againſt others guilty of the ſame Crime.

Further * the ſame Judgment was given againſt *Bogo de Bayons*, and *John Daveril*, for the ſame cauſe, and he that could take *Bogo* alive, and bring him to the King, ſhould have a hundred pounds; or if he brought his Head, he ſhould have a hundred Marks; and he that could take *John Daveril* alive, and bring him to the *King*, ſhould have a hundred Marks; or if he could bring his Head, he ſhould have Forty pounds.

* Ib. n. 5. The like Judgment given upon *Thomas de Gurney* and *Will. Oclé* for the Murther of the late K.

The * ſame Judgment was given likewiſe againſt *Thomas de Gurney*, and *William de Ocle*, for the Death of *King Edward*, *That they had falſly and traiterouſly murthered Him*; and he that could take *Thomas* alive, was to have a hundred pounds; or if he could bring his Head, a hundred Marks: He that could bring *William de Ocle* alive, was to have a hundred Marks, or his Head, forty pounds.

[2.] *T. W. Gurney* being ſeized at *Marſeilles*, is beheaded on ſhipboard.

What became of this *De Ocle* I cannot tell, but [2.] as for *Gurney*, he was not long after ſeized at *Marſeilles* in *France*, and being put on board a Ship, in order to be brought over to *England*, was by order of the Captain beheaded at Sea, leſt if he arrived, he ſhould accuſe ſome *Prelates* and other *Great Men*, as being privy and conſenting to the ſame Crime.

* Rot. Parl. 4 *Ed* 3. n.16. printed in Dr. *B*'s *Ap.* n. 85. The Lord *Berkele* is alſo arraigned for the ſame Crime, but he was not found guilty at his Tryal.

* This was another Seat of the ſaid Lords.

Likewiſe amongſt the * *Pleas* of the *Crown* of this *Parliament*, there is recorded the Arraignment of the Lord *Thomas de Berkele*, for the Death of King *Edward* the *Second*, to this effect; for that the ſaid King was committed to the keeping of the ſaid *Thomas*, and *John Matravers*, in the Caſtle of the ſaid Sir *Thomas* at *Berkele* when He was murthered: the ſaid *Thomas* ſaith, That at the time of the death of the ſaid King, he was ſick at * *Bradelye*, without the ſaid Caſtle, and knew not what was done there, nor was conſenting thereunto, and thereupon put himſelf upon his Tryal by Twelve Knights (named in the Record) who found him not guilty, nor that he fled, or withdrew himſelf upon it; but ſince he had placed under him *Thomas de Gurney*, and *William de Ocle* to keep the King, by whom He was murthered; he had a day given him to hear his Judgment in the next Parliament, and in the mean time was committed to *Ralph Nevill*, Steward of the King's Houſhold.

* Rot. Parl. 4 *Ed.* 3. n.13. The Young Earl of *Kent* reſtored in Blood.

As is alſo the Son of the late Earl of *Arundel*.

In this *Parliament*, * *Edward* the Young Earl of *Kent*, was alſo reſtored to his Father's Honour and Eſtate, as hath been already obſerved; for being encouraged thro the Clemency as well as Juſtice ſhewn by the King, to *Richard*, Son of the late *Earl* of *Arundel*, he alſo prayed to be reſtored to his Blood, Lands and Goods, ſeeing his Father was put to death, not being try'd by his Peers, according to the great Charter, and the Law of the Land; but becauſe the Attainder was confirm'd by Parliament at *Northampton*, he mended his Petition, and prayed to be reſtored of the King's meer Grace, which was granted accordingly.

* Ib. n. 14. A 1000 *l. per Annum* ſetled on Sir *William Montacute* for ſeizing the Lord *Mortimer.*

* Ib. n. 15.

Alſo * in the ſame *Parliament*, the *Prelates*, *Earls* and *Barons*, prayed and adviſed the King to give and grant a thouſand pounds *per Annum* to Sir *William Montacute*, and his Heirs, for his Service, in taking *Roger Mortimer*, *Earl* of *Marche*, and his Confederates, without Bloodſhed; a thouſand Marks whereof was to be out of the Lands of *Mortimer.* And upon the like Prayer and Advice, his Aſſiſtants, * *viz. Edward Bohun* had four hundred Marks *per Annum* to him and his Heirs; *Robert de Vfford* three hundred, and *John Nevill* two hundred.

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And to give you the reſt of the moſt conſiderable Tranſactions of this Parliament, *William* Archbiſhop of *York*, *Stephen* Biſhop of *London*, *William* Abbot of *Langdon*, *William* Lord *Zouch* of *Mortimer*, and many others, who had agreed with *Edmund* late Earl of *Kent*, for the Delivery of the late King *Edward*, and been therefore impeached, were now wholly acquitted, and fully reſtor'd to all their Goods and Poſſeſſions.

Vid. Cotton's Abridg. p. 7.
The Archbiſhop of *York* and others acquitted for endeavouring the Delivery of the late K.

It was alſo * ordered, that thoſe who had taken up Arms with *Henry* Earl of *Lancaſter* at *Bedford*, or had been concern'd in the Matter of *Edmund* late Earl of *Kent*, ſhould be releaſed of all Fines impoſed for that reaſon upon them; and that their Lands which were therefore ſeized into the King's Hands, ſhould be reſtored with the Meſne-Profits, *&c.* and therefore the King pardoneth *Henry* Earl of *Lancaſter*, and all thoſe who took part with him, all Fines and Ranſoms whatſoever.

* Ib: p. 8.
Thoſe who had taken up Arms with the Earl are diſcharged from all Fines.

And farther, we find, that ſoon after the News of *Mortimer*'s Fall, and the Knowledge of this Pardon, [3.] *Thomas* Lord *Wake*, *Hugh* Lord *Audeley*, *Henry* Lord *Beaumont*, Sir *Thomas Roſſelin*, Sir *William Truſſel*, Sir *Thomas Withers*, and the reſt, whom *Mortimer*'s Power had forced beyond the Seas, returned from *France*, and were received as their Loyalty deſerved; being by the King freely reſtored to all their Lands and Poſſeſſions.

[3.] *H. K.*
Several Lords and Knights who had fled beyond Sea for fear of *Mortimer*, return and reſtor'd to their Eſtates.

This Parliament having diſpatched a great deal of Buſineſs in a ſhort time, was diſſolved a little before *Chriſtmaſs*. Then the King went down into the Country to divert Himſelf, and kept that Feſtival at *Wells*.

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With *Mortimer*, the Queen-Mother's Power alſo fell; For not long after, the King being made ſenſible how ill She had carried Her Self, with Reſpect to His late Father, Himſelf, and Her own Reputation, [4.] took the Management of Publick Affairs into His own Hands, and confined Her to Her Houſe at *Riſings* near *London*; and ſeizing upon the great and immoderate Jointure that had been ſetled upon Her at His firſt coming to the Crown, allow'd Her a Penſion of but Three Thouſand Pounds *per Ann.* but left Her ſuch Plate, Jewels, and other Furniture, as befitted Her Dignity: And tho' She came no more to Court, yet the King went conſtantly to viſit Her once or twice every Year, as long as She lived.

[4.] *T. W.*
The K. takes the Government into His own Hands; confines His Mother to Her Houſe, and ſeizing upon Her great Joynture allows Her a Penſion of 3000 *l. per An.*

This Summer He ſpent in reforming the Abuſes and Corruptions of the Government: And in Autumn, on the day after *Michaelmaſs*, *He held another Parliament. In which the Biſhop of *Wincheſter* being Chancellor, declared the Cauſe of Summons to be concerning the Dutchy of *Aquitain*, and the King's other Lands beyond Sea; whether Peace ſhould be made, or other Iſſue put to the late Differences between the Kings of *England* and *France*, by reaſon of the ſaid Territories: And alſo about the Buſineſs of *Ireland*; and concerning the King's going thither: And likewiſe to ordain how the Peace might beſt be kept there. And it was agreed, that the King's Buſineſs ought to be diſpatch'd before any other.

* Rot. Clauſ. 5 *Ed.* 3. m. 7. Dors.
Rot. Parl. n. 2.
The K. ſummons a Parliament, at which the Bp. of *Wincheſter* declares the cauſes of it.

Then * the Chancellor applied himſelf to the Archbiſhop of *Canterbury*, and all the other Prelates, Earls, Barons, and other Great Men, for their Advice; Whether they thought it beſt, for the King to proceed by way of Proceſs, or War, or by amicable Treaty with the King

* Ib. n. 3.
Upon which he deſires the Advice of the K. and Lords

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King of *France*, for the Reſtitution of *Aquitain*. And they agreed upon the laſt, ſeeing the two former ways might prove dangerous: And the Biſhops of *Wincheſter*, *Worceſter*, and *Norwich*, or one or two of them, as the King pleaſed, together with the Lords *Beaumont*, *Piercy*, and *Montacute*, Sir *Geoffry Leſcrop*, and Mr. *John de Shordich*, were to be ſent to the King of *France* for that purpoſe.

* Ib.

Some Forces ordered for *Ireland*.

As * to the Buſineſs of *Ireland*, it was agreed in the ſame Parliament, That the King ſhould provide Himſelf to go thither as ſoon as He could, and in the mean time, that He ſhould ſend over ſome Great Perſon with Men at Arms, to aid the Juſtices and other Liege-People againſt ſuch as oppoſed the Government.

* Id n. 9.

In this Parliament alſo, * the King, by Aſſent of the Peers, and at their Requeſt, granted, That the Queen His Mother, becauſe the Penſion of Three Thouſands Pounds yearly, which She was to receive out of the *Exchequer*, for Her Support, was not well paid according to Her mind, ſhou'd have Lands and Rents of that Value aſſigned to Her.

* Ib. n. 10. Ordered, that no Great Man ſhould for the future maintain or abett any Robber or other Malefactor.

Then * for keeping of the Peace it was alſo agreed in full Parliament, (every one of the ſaid Great Men having been eſpecially examined, and aſſenting) That no Great Man of the Land for the future, ſhould retain, maintain, or avow, openly or privately, by himſelf or others, any Robber or Malefactor indicted of Felony, or Fugitive for the ſame, nor any ſued to an Exigent, or of evil Fame. And the ſaid Great Men promiſed with all their Power to aſſiſt the Juſtices, Sheriffs, and other the King's Officers, in the Execution of all Judgments, and other things that belonged to their Offices; as well againſt Great Men as others, of what Condition ſoever they were. The Cauſe for the making of this Statute (as * *Walſingham* informs us) was, That certain Lawleſs Diſſolute Fellows relying upon the Protection of ſome of the Great Men of the Kingdom, and deſpiſing the King's Youth, would now make a Diſturbance; So that poſſeſſing themſelves of certain Paſſes thro' Woods and Mountains, they robbed all they met with, and increaſed to that degree, that they became a Terror to the whole Kingdom. Wherefore the King was forced to raiſe ſome Military Troops to ſuppreſs them, and acted with that Vigour, that divers of theſe Malefactors were taken and impriſoned, and others were executed; and by this means they were ſuppreſſed for a time, tho' you will hear more of them hereafter.

The Occaſion of this Statute.

* *Ad hunc An.*

England affording nothing more worth noting, I ſhall now give you an Account of an Accident that cauſed a Great Revolution in *Scotland* the next Year, by a few *Engliſh* and *Scotch* Voluntiers, headed by the Lord *Edward Baliol*, Son of *John*, formerly K. of that Nation. The Original of it was thus: [t.] This young Lord, after the Death of his Father in *Normandy*, had lived privately upon his Lordſhip called *Quimper* in that Province, until by reaſon of his protecting and ſending away an *Engliſh* Servant of his, that had killed a *French-man* in a Quarrel, he was not only diſſeized of his Eſtate, but caſt into Priſon by the King of *France*; where he continued for ſome time, till the Ld. *Henry Beaumont*'s going over thither, who being driven out by the Power of *Mortimer*, (as hath been already related) found ſo much favour with the King of *France*, his Kinſman, that by his interceſſion the Lord *Bailiol* was ſet free: And being look'd upon as the true Heir to the *Scotiſh* Crown, he was by the Lord *Beaumont* brought over into

t.] *Caxton's* Chron

The Ld *Baliol* put in priſon, and his Eſtate ſeized in *France*, and on what occaſion.

He is ſet free by the interceſſion of the Ld. *Beaumont*.

England, that by ſetting up his Title, he might thereby obtain his Inheritance in *Scotland*; claiming in Right of his Wife the Earldom of *Buquhan* in that Kingdom. *Baliol* being thus arrived in *England*, lay for ſome time privately in *Yorkſhire*; where the Lord *Beaumont* began ſecretly to raiſe Men in order to that Deſign: Which being in a good Forwardneſs, *Bailiol* was in the Beginning of *Auguſt* preſented to the King, where he not only renewed his Father's Claim to *Scotland*, but alſo offer'd to hold it of the King by Homage, provided he were reſtored to his Right by His means.

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He is preſented to the K. and renews his Claim to *Scotland*.

Tho' King *Edward* was much troubled at the diſhonourable Peace that had been ſtruck up with the *Scots* in His Minority, [2.] yet was He obliged by a Bond of Twenty Thouſand Pounds forfeitable to the Pope, to obſerve this Truce inviolable for the Term of Four Years, which were not yet expired; and therefore He refuſed to give *Baliol* any Aſſiſtance Himſelf, but however He connived at his engaging ſuch *Engliſh* and *Scotiſh* Nobility and Gentry, as had by the late Peace and Agreement with the young King of *Scots*, been diſinherited of their Eſtates in that Kingdom. Thereupon theſe all agreed to raiſe Forces at their own Charges, and under *Bailiol*'s Title to make War upon King *David*: Which tho' they could not begin in this, yet you will find they did it with Succeſs the next Summer.

[2.] *H. K.* Col. 2560.

K. *Edward* refuſes to aſſiſt *Bailiol* openly, and for what cauſe; yet connives at his engaging ſuch Noblemen as had loſt their Eſtates for taking his Part.

To add ſomewhat more of Foreign Affairs, I muſt here take notice of an Action, which (tho' it only concern'd a Subject of *France*, yet ſince it produced ſo great a War in that Kingdom) deſerves Obſervation. [3.] The Lord *Robert* of *Artois*, who had married K. *Philip*'s Siſter, (being a Perſon of extraordinary Parts and Intereſt, had been a great means of ſetting the Crown upon His Head) now fell into open Enmity with Him on this Occaſion. This Lord, after the Death of *Mahaud* Counteſs of *Artois*, challenged that Earldom, as Heir to his Father, againſt *Blanche* Daughter to the late King *Philip* the *long* and then Wife to *Eudes* Duke of *Burgundy*: And, to this end he produced in the Parliament at *Paris* certain Charters under the Great Seals of the former Kings of *France*, to make out and confirm his Right; and which as he alledged had lain hitherto conceal'd. This Proceſs being heard before the King in the ſaid Parliament, theſe Charters upon ſtrict examination, were found to be Counterfeit, and his Cauſe declared unjuſt. Upon this, the Ld. *Robert* looking on the K. as the Author of his Diſgrace, (having openly appeared for the Lady *Blanche* His Niece) ſaid in his Paſſion, *By me* Philip *was made King, and by me He ſhall be un-king'd*, together with a great deal of other undutiful Language: Which being related to King *Philip*, He was ſo enraged at it, that He endeavoured to ſeize his Perſon, but he making his Eſcape, was thereupon baniſhed by Sound of Trumpet, and all his Eſtate confiſcated; and what was yet more ſevere, his Lady (tho' the King's own Siſter) was made a cloſe Priſoner, together with her Children. *Robert* finding there was no more mercy for him in *France*, fled for refuge to the Earl of *Haynault*; but the King's indignation would not ſuffer him to continue long there: So that the Duke of *Brabant* being excited by the King to make War upon the E. of *Haynault*, upon that and ſome other Accounts, the Lord *Robert*, that he might not prove a Ruin to his Friend, left his Country, and came over to the King of *England* the Year following; tho', not to make a Breach in this Story,

[3.] *Gaguin & Mezeray.* Hiſt. *de France.*

The Lord *Robert* of *Artois* falls out with the King of *France*, and on what occaſion.

He is baniſhed the Kingdom, and flies into *Haynault*.

Where not being able to ſtay, he comes over into *England*.

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I have placed it together under this; where at preſent I ſhall ſay no more of him, but that being a Great Favourite and Privy-Councellor to King *Edward*, He never ceaſed to excite Him to a War with *France*; which broke out ſome Years after.

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* Rot. Clauſ. 6 *Ed.* 3. m. 36. Dorſ.

Another Parliament at *Weſtminſter*.

* Rot. Parl. 6 *Ed* 3. n. 5.

The Cauſes of it declared by the Chancellor.

The neceſſity of the King's Affairs obliging Him to frequent *Parliaments*, * He now iſſued out Writs for a new one to be held on *Monday* after St. *Gregory*, or Twelfth of *March*, reciting in the Summons the Cauſes of His calling it, * which the Chancellor more fully declared at their meeting; to wit, that the King of *France*, and many other King's and Princes (mentioned in the Writ) having appointed their going towards the *Holy Land* in that preſent Month of *March*, they much deſired the Company of the King of *England*, for the better ſtrengthening themſelves againſt the Enemies of *Chriſtendom*, and that they had lately for this purpoſe ſent over Letters and Meſſengers to Him; He therefore demanded the Advice of the Prelates, Barons, and other Great Men in *Parliament*, whether it was fit for Him to accompany the King of *France*, or not.

* Ib.

Sir *Geoffry L' Eſcrope* ſets forth the Miſchiefs that had happened by reaſon of Robbers and Outlaws.

He alſo asks the Advice of the *Prelates* and *Peers* concerning the King's Voyage to the *Holy-Land*.

After this *Declaration*, Sir *Geoffry L' Eſcrop*, by command of the King, and in His preſence, before all the Prelates, Earls, Barons, and other Great Men, reported, That the King was inform'd, and it was notorious to them all, that divers looſe perſons defying the Law, were gathered together in great Companies, to the deſtruction of the King's Lieges, the people of *Holy Church*, &c. taking and detaining ſome of the King's Juſtices in Priſon, until, to ſave their Lives, they had paid great Fines and Ranſoms, at the pleaſure of the ſaid Malefactors; ſome of the King's Subjects they had put to death, and robbed others of their Goods and Chattels, doing other ſad Miſchiefs and Felonies; and further, the ſaid Sir *Geoffry*, on behalf of the King, charged the Prelates, and all others there aſſembled, That by the Faith and Allegiance they owed to the King, they would counſel Him concerning His Voyage to the *Holy-Land*, which He very much deſired to undertake, and alſo how the Peace might be kept, and theſe Rioters in the mean time chaſtiſed and reſtrained from their Wickedneſs.

Ib. n. 5.

* *Grantz*; under which Titles the Knights of Shires were alſo comprehended.

Then the Lords and * Great Men being returned to the King's Preſence, by the Mouth of Sir *Henry Beaumont*, gave their Anſwers, that for the Conſervation of the Peace againſt thoſe Offenders, there ſhould be Juſtices ordained in every County, with power to puniſh and repreſs them; and further, That certain Officers ſhould be alſo appointed for apprehending Malefactors, and levying of *Hue* and *Cry*.

* Ib.

The Reſolution of the Lds in Parliament for the ſuppreſſing of Robbers.

* Whereupon, by the Advice of the Earls, Barons, &c. it was in the firſt place agreed, That as to theſe wicked people, the King ſhould proſecute them by Law, Force, and all other ways He ſhould be adviſed; and accordingly Commiſſions were iſſued out to the beſt Men in the Counties, and to the Sheriffs, to apprehend and impriſon them, and raiſe the *Poſſe Comitatus* againſt them, and cauſe them to be indicted, and puniſhed according to their Deſerts.

But it is very remarkable, that the *Prelates* and *Proctors* of the *Clergy* (who were preſent alſo at this *Parliament*) finding it not belong to them, being Spiritual Men, to give their Advice about keeping the Peace, and puniſhing the Breaches of it, therefore they went apart by themſelves, to deliberate of the other Matters propoſed to them; from whence it appears, that not only the *Prelates*, but Inferior *Clergy* of

both

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both Provinces then made a diſtinct *Eſtate* in *Parliament*, by Virtue of the Clauſe of *Premunientes*, inſerted in the Writs to the Archbiſhops and Biſhops.

And it was further agreed by the **King* and *Eſtates* aforeſaid, That the Sentence of *Excommunication*, which had been ordained by the *Prelates* and *Clergy*, ſhould be pronounced againſt them in the *Church* of St. *Paul* in *London*, and ſent to all the Biſhops in *England*, to be alſo pronounced againſt them in their reſpective Dioceſſes.

*Ib. n. 5.

As, * That all thoſe who diſturbed the *Peace* and *Quiet* of *Holy Churh* and the *Realm*, eſpecially ſuch as made Confederacies by Covenants, Obligations, &c. or in any other manner, were declared *Excommunicated*; as were alſo the * Receivers, Favourers and Defenders of them: And further, That all ſuch Covenants, Obligations, Confederacies and Alliances were made void and annulled by the ſaid *Prelates*, &c. and that if any Oath was taken to confirm them, that was alſo declared void.

*Ib. n. 6.

*Ib. n. 7, 8.

But to give you ſome further light into this Ordinance, and ſhew the Reaſons for the making of it; You may remember, that the Year before, certain diſſolute bold Fellows combin'd together, and meeting in great Companies, turn'd Robbers and Highway-men, and keeping in the Woods and Foreſts, robbed all that paſs'd thoſe ways; inſomuch that [4] Sir *Robert Willoughby*, Lord Chief Juſtice, travelling then lately towards *Grantham*, to put the *Statute* of *Trail-baſton* in execution againſt ſuch Malefactors, was taken by one *Robert Folvile* and his Gang, and forced for the ranſom of his Life, both to lay down Ninety Marks, and alſo ſwear never to diſcover them; but he not only complained to the King of this Villany, but likewiſe repreſented this Matter to the *Parliament*, who took ſuch order in it, as hath been already mentioned. And now to return again to our *Parliament*-Rolls.

[4] *H. K.* col. 2559.

* As concerning the King's Voyage to the *Holy-Land*, the *Prelates*, *Earls*, *Barons*, &c. with one conſent agreed, that it could not then be performed, becauſe the time aſſigned for it by the King of *France*, was too ſhort.

*Ib. n 9.
The Lords in Parliament diſapprove of the King's Voyage to the *Holy-Land*.

*It was further declared in this *Parliament*, on behalf of the King, by the ſaid Sir *Geoffry L'Eſcrop*, That whereas in the laſt *Parliament*, in the Fifth Year of the King, it had been agreed, that all Differences moved between the Kings of *England* and *France*, concerning the Lands beyond Sea, ſhould be reconcil'd by Treaty, or way of Marriage, or in ſome other Amicable manner; and that thereupon the King had ſent his Commiſſioners to the King of *France*, who had treated with Him, and made Report to King *Edward*, that His Majeſty of *France* told them, That if it pleaſed their Maſter to come over in perſon, He would ſhew more favour to Him, than to any other; wherefore it was neceſſary to ſend ſpeedily to the ſaid King; and for this end He demanded the Advice of the *Prelates*, *Earls*, *Barons*, &c. in full *Parliament*, Whether if thoſe *Envoys* at their Return, ſhould repreſent to the King, that His Affairs would be in a much better condition if He went over in perſon, He ſhould go, or not; and in that reſpect all the *Prelates*, *Earls*, *Barons*, and other *Great Men* conſented to His going, in hopes that all Obſtacles to an amicable Compoſure between them might be thereby removed, and much advantage accrue to Him; they adviſed alſo, that his Voyage into *Ireland* might be poſtponed until

*Ib. n. 10.

Yet they conſent to his going over into *France* to compoſe all Differences with that King.

til *Michaelmaſs* next, ſo that in the mean time ſome Men at Arms, and others might be ſent in aid of His Good Subjects there.

* Ib. n. 11.

The Parliament is diſſolved, having diſpatch'd much Buſineſs in a little time.

* Then the *Saturday* after the meeting of it, this *Parliament* was diſſolved, not having ſat a whole week; which ſhews us how much Buſineſs could in thoſe times be diſpatched in a few days, when all things were drawn up, and ready prepared before-hand by the King and His Council.

* Ib.

It is alſo very remarkable, that tho * the King then gave leave to the Knights of Shires, and Citizens and Burgeſſes, as alſo to the Lower Clergy to return home, yet He ordered the *Prelates*, *Earls*, *Barons*, and His Counſellors in *Parliament* to tarry longer, to have their Advice in ſome other Matters of great moment, which He had further to propoſe to them.

I mention this, to ſhew further, that the Lower Clergy, as different from the *Prelates*, were preſent at this *Parliament*, and that therefore by the *Proctors* of the Inferior *Clergy* before mentioned, muſt be underſtood, their Delegates and Repreſentatives in *Parliament*, who ſat by themſelves, and not with the *Lay-Commons*, as ſome Writers have without any juſt grounds affirmed.

A Relation of a ſtrange Revolution in *Scotland*, and by what means, with the weak condition of that Kingdom at this time.

[5.] *Froiſſ.* ib. c. 20.

But to come to ſome Foreign Affairs; *England* affording us nothing elſe worth noting, we will ſee what was done this Summer in *Scotland*; where one of the ſtrangeſt Revolutions that we ſhall read of in Hiſtory, was brought about by a few *Engliſh* Voluntiers (of whom we gave ſome Account the laſt Year). Theſe having now got their Forces ready, reſolved to invade *Scotland*, and indeed (as it happened) they could never have found a better Opportunity for it; for beſides that King *David* was then a Minor, the old Lords, *Douglas* and *Randolph*, late Generals of the *Scotiſh* Forces were likewiſe both dead, [5.] the former being kill'd in an Expedition againſt the *Moors* in *Spain*, and the latter lately deceaſed of a Natural Death at home; notwithſtanding what *Boethius* and *Buchanan* falſly relate of his being poiſoned ſome time after this, by a Monk hired by King *Edward*, who feigned himſelf to be a Phyſician.

[1.] *H. K.* col. 2560.

The Ld *Beaumont* with the Earls of *Athol* and *Angus* make the Lord *Baliol* their General, and raiſe Forces to recover his Right to *Scotland*.

[2.] Id. ib.

[3.] *John Tinmouth.* Hiſt. Aur.

They land in *Scotland*, and put the Earls of *Fife* and *Carrick* with ſeveral other Noblemen to the Rout.

So that *Scotland* being now deſtitute of any experienced Commanders, [1.] it much encouraged the Lord *Beaumont*, *David* of *Stratholgi*, Earl of *Athol*; *Gilbert Umphrevil*, Earl of *Angus*, and *Henry* Lord *Piercy*, (who claimed all *Galloway*); as alſo the Lord *Richard Talbot*, a Valiant young Nobleman, together with many other Lords and Gentlemen in their deſign; And having made the Lord *Baliol* their General, and declared for his Right to the *Scotiſh* Crown, they raiſed a ſmall Army, chiefly conſiſting of their own Tenants and other Dependants, and taking Shipping at *Ravenſpar* in *Yorkſhire*, [2.] came before *Kingcorn*, not far from *Dumferling* in *Scotland*, in the beginning of *March*; but the *Scots* having already Intelligence of their Deſign, had ſent Ten thouſand Men to hinder their Landing, [3.] under the Command of *Duncan Macdulf*, Earl of *Fife*, the Earl of *Carrick*, Baſtard Brother to King *David*, and Sir *Alexander Seton*, Eldeſt Son to the Lord of that Name; but tho *Baliol*'s Forces were but ſmall, not amounting to more than Three thouſand Men; yet theſe by the aſſiſtance, and under protection of the *Engliſh* Archers, who ſhot inceſſantly from their Ships, landed in ſpight of the *Scotiſh* Army, of which they preſently killed about Nine hundred, and from thence marched to the *Abbey* of *Dumferling*, where they found great ſtore of Proviſions, and other things neceſſary

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for Soldiers; this done, being not yet Four thouſand Men (tho * *Buchanan* will have them to be Ten thouſand) they again took the Field, and hearing where the *Scotiſh* Army lay, [4.] they paſſed the River *Erne* by Night, and ſurpriſing their Camp, entred it, and utterly defeated that part of their Forces; and tho moſt of them eſcaped away in the Dark, yet above Three thouſand of them were ſlain. But the Manuſcript *Author* of *Scala-Chronicon*, gives a truer and more modeſt Account of this Action, and ſays, That this Engagement was in the Night, not with the main Body of the *Scotiſh* Army, but only with their Camp-Boys and other Dependants that looked after the Horſes, whom having put to flight, they not long after by the light of a Houſe that was accidentally ſet on fire, diſcover'd the main Body of the *Scotiſh* Army approaching them in two great Diviſions; whereupon the *Engliſh* (ſeeing they could not avoid fighting without great danger) marched boldly, and fell upon them with that fury and ſuddenneſs, that the Vant-Guard of the *Scots* being too hard preſs'd, recoil'd upon the next Battalion, and put them into ſuch diſorder, that the *Engliſh* laying hold on this Advantage, quite routed the whole Army, and kil'ed about fourteen thouſand of them on the ſpot; [5.] the chief of whom were the Earls of *Carrick*, *Mar*, *Menteithe*, and *Athol* (not he of *Stratboigi*, but another upon whom the late King of *Scots* had conferr'd that Title) beſides twelve Barons, and eight hundred Military Tenants; but what was moſt remarkable on the *Engliſh* ſide, was, that there fell but two Knights, thirty three Squires, and of Ordinary Archers and Footmen few or none: This great Victory was obtained on *Wedneſday* the Eleventh of *Auguſt* at a place called *Gledeſmore*, not far from St. *John's-Town.* But I muſt here obſerve, that the *Scotiſh* Hiſtorians do not own any more than the firſt of theſe Defeats, and were either ignorant of, or elſe deſignedly conceal the latter.

* *L.* 9.

They paſs the River *Erne*, and ſurprize the *Scots* Army.

[4.] *H. K.* col. 2561.

A fuller Account of this Engagement from *Scala-Chronicon.*

[5.] *H. K.* Ib.

The Earls of *Carrick* and *Mar*, with many other Noblemen ſlain, the loſs on the *Engliſh* ſide being inconſiderable.

The Conſequence of which was, the ſurrender of *Perthe*, or [1.] St. *John's-Town* without any reſiſtance, where they found good ſtore of Proviſions and Warlike Ammunition. Whilſt they lay here, *Patrick* Earl of *Dunbar*, and Lord *Archebald Douglas* came and inveſted the Town with an Army of Forty thouſand Men, and beſides this, they had ſent Sir *John Crabbe*, their Admiral, with a ſmall Fleet of ten Sail of *Flandrian* Ships to burn the *Engliſh* Veſſels that lay at Anchor in the Mouth of the River *Tay*; but here they miſſed of their Deſign, for tho at firſt they took one or two Ships, yet the reſt of the Fleet having time to arm, made ſo vigorous a defence, that albeit they were inferior to the *Scots* in number of Men, however they ſo exceeded them in Valour and Conduct, that they not only put them to flight, but ſunk and took moſt of their *Veſſels*; *Crabbe* their Admiral getting on Shore, eſcaped to *Berwick*, and brought the firſt News of this Defeat, which was given on St. *Bartholomew's* Day: Upon this Succeſs the *Scots* raiſed the Siege of St. *John's Town*, and marched off; then the *Engliſh* delivered the Cuſtody of it by the Lord *Baliol's* Order to the Earl of *Fiſe*, who upon this late Succeſs had revolted from King *David*, and not long after as treacherouſly went back again to the other Party, and betray'd the Town as an Earneſt of his Loyalty to his former King. And I cannot but obſerve here by the bye, that * *Adam Muremuthe* by his prepoſterous beginning of the Year at *Michaelmaſs*, hath placed this Expedition, and King *Baliol's* Coronation that followed it, under the foregoing Year; which has led *Walſingham*

[1.] Id. ib.

St. *John's-Town* ſurrendered to *Baliol.*

The Earl of *Dunbar*, and Lord *Douglas* inveſt the Town by Land, whilſt Sir *John Crabbe* does the like by Sea.

But the Fleet is defeated, and the Siege raiſed.

* *Ad An.* 1331.

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(as he has done ſeveral of our Modern Hiſtorians) into the ſame Error, to the great confuſion of the *Scotiſh* Affairs.

The Lord *Baliol* with conſent of divers of the *Scotiſh* Nobil. is made K. of *Scotland*.

[2.] *T. W.*

* *Buchanan* wrongfully places His Coronation 20 Kal. Septem.

He preſently after routs Sir *Andr. Murrey*.

The Lord *Baliol* having by the Aſſiſtance of the *Engliſh* Forces, thus beat his Enemies quite out of the Field, and divers of the *Scotiſh* Nobility thereupon coming in to him; [2.] he was by their General Conſent, as well as that of the *Engliſh* who came in with him, Crown'd King of *Scotland*, at the Abbey of *Scone*, on the * Twenty Seventh of *September*. Not long after which, He had another Engagement with King *David*'s Party near *Roxburgh*; where Sir *Andrew Murrey*, Governor of the Realm was taken, and ſent Priſoner to *Durham*. But you will ſee anon King *Baliol*'s good Fortune did not laſt; being ſometime after driven out of *Scotland* with greater Precipitancy than he won it. And now we will return to the Affairs of *England*, from which we have made too long a Digreſſion.

* Rot. Clauſ. 6 *Ed.* 3. m. 7. Vid. *Cotton's* Abridg. p. 12, 13.

Rot. Parl. 6 *Ed.* 3. n. 1. 3.

The K. holds a Parliament at *Weſtminſter*, with the Occaſion of it.

Not long after this Succeſs of King *Baliol*, (the News of which, it ſeems, had not as yet reached *England*) * King *Edward* held a Parliament on the Morrow after the Nativity of the B. Virgin, or Ninth of *September*, at *Weſtminſter*; where the Biſhop of *Wincheſter*, Lord Chancellor, declared, That the Cauſe of their Meeting was about the Affairs of *France*, and the King's Expedition thither, to put a Stop to the Succeſs of His Enemies in thoſe Parts. Then the Parliament having been adjourn'd till the *Thurſday* following; they recieved ſome ſudden News out of the *North*, which made them fear an Invaſion from the *Scots*: Whereupon the Prelates, Lds., and Knts. of Shires, did each by their ſeveral Petitions, adviſe and requeſt the King not to go into *Ireland*, but only to ſend thither a ſufficient Supply of Men and Money, whilſt Himſelf marched with a Strong Force towards the *North*, there to watch the Motions of the *Scots*. For which Expedition He had granted Him a *Fifteenth* of the Perſonal Eſtates of the Prelates, Lords, and Knights of Shires; and a *Tenth* of all Cities and Boroughs: Only they deſired, *That the King would pleaſe to live of His own, without grieving His Subjects by Outrageous Prizes, or ſuch like illegal Taxes.* Whereupon the King revoked the late New Commiſſion for raiſing of certain Talliages or Cuſtoms; and promiſed from henceforth to ſettle the ſame according to the Old Rates.

The K. has a *Fifteenth* and a *Tenth* then granted him at once.

Soon after this Parliament was diſſolved, the King, that He might recieve the ſpeedier Account of the Poſture of Affairs in *Scotland*, which were now quite alter'd for His Advantage, removed His Court to *York*; where having heard the News of King *Baliol*'s unexpected Succeſs in *Scotland*, He was not only out of fear of any Invaſion from thence, But ſo ſoon almoſt as He came thither, He thought fit to * ſummon a New Parliament to that Place, on the *Friday* before the Feaſt of St. *Michael*, to give their advice, what was beſt for Him to do on this Occaſion. But the Parliament did not meet until the Second day of *December*: When Sir *Geoffrey le Scrope* declared the Cauſe of their Meeting was, * That the King having lately underſtood that the Lord *Baliol* had cauſed Himſelf to be proclaimed King of *Scotland*, and that the Truce with *David Bruce* was newly expired; He demanded their Advice, whether He ſhould fall upon *Scotland* in His own Name, and claim the Dominion thereof as His own Right; or elſe by joining with King *Baliol*, ſhould take the Advantage of recovering the Homage and Services His Anceſtors had enjoyed. But becauſe moſt part of the

* Rot. Clauſ. 6 *Ed.* 3. m. 4. Dors. Vid. *Cot.* Rec. p. 13.

The K. calls a new Parliam. at *York*, and demands their advice, what He ſhould do concerning *Scotland*.

* Rot. Parl. eod. An. n. 3. Cot. Rec. p. 13.

Prelates and Clergy were abſent, theſe things were not at that time reſolved on: So the Parliament was adjourn'd until the Octaves of *Hilary* next enſuing.

But is adjourned without coming to any Reſolution.

The * Cauſe of this Diſappointment, the ſame Record informs us, was, thro' the Pride and Emulation of the two Archbiſhops. For, He of *York* and the Biſhop of *Carliſle* appearing there, the Primate of *Canterbury* and all his Suffragans (except the Biſhop of *Lincoln*) would not come to this Parliament; becauſe the Archbiſhop of *York* being in his own Province, made his Croſs to be born before him, which the other Firſt Prelate could not endure; and ſo by reaſon of this Non-appearance of the Biſhops, the Parliament came to no Reſolution as to the preſent carrying on the War in *Scotland*; to the great Prejudice of the Nation, and the Charge and Trouble of doing that in a New Parliament, which ought to have been done in this. And it being now thus broke up, the King returned into the *South* of *England*, there to keep His *Chriſtmaſs*.

* Id. ib. p. 14. And the Cauſe of it.

I have no more to add concerning this Parliament at *York*, only the *MS.* called *Scala Chron.* as alſo the Chronicle of * *Lanercoſt* tell us, that at this Aſſembly, the Lord *Beaumont*, and the Earl of *Athol*, with divers other Noblemen who had been in the late Battels with King *Baliol*, appear'd; being ſent by Him to uſe all their Intereſt to engage the King and the Eſtates of *England* to declare in His Favour: And at the ſame time there came certain Envoys from *David Bruce*, to beſeech the King that He would give no Aſſiſtance to His Enemy, but rather to help Him who was His Brother-in-law and Ally; with whom alſo He was then in Amity. But the K's Council were of Opinion, That He was not obliged to act againſt His own Subjects, who had loſt all their Eſtates in *Scotland* by the late Articles of Peace, upon His Account. We ſhall now proceed with a Relation of the reſt of the Affairs of that Kingdom this Year.

* *Ad hunc An.*

After this Parliament, [3.] King *Baliol* left *Roxburgh*, where He had continued ſince His late Victories, and retired to the Town of *Anan* in *Anandale*, being His own antient Inheritance; where He ſtay'd for ſome time, to divert Himſelf. And whilſt He continued here, [4.] *Alexander Bruce*, Lord of *Carick* and *Galloway*, ſuppoſing the Affairs of his Kinſman King *David* to be quite deſperate, ſubmitted himſelf to the Conqueror; who was now ſo far lull'd aſleep with His late Succeſs, [5.] as to agree to a Truce which the E. of *Dunbar*, and the Lord *Douglas*, and ſome other Noblemen, who ſtill continued firm to King *David*, had deſired of the New King, until *Candlemaſs*-day next enſuing. And this being granted, it was alſo further agreed, That a Great Council or Parliament of both Parties, ſhould meet at the Town of *Anan*, near the Borders of *England*, there to make a firm Union between them. But this proved fatal to King *Baliol*'s Affairs; for thinking Himſelf ſecure, He diſmiſſed the greater part of His Forces into Winter-Quarters; which the *Scots* Noblemen of King *David*'s Party hearing of, reſolved to take the Advantage of it; And on [5.] *Chriſtmaſs*-day at night, the Lord *Archibald Douglas*, with the Earl of *Mar*, and divers other Barons, having muſter'd up a Thouſand Choice Horſe ſurprized the New King with thoſe few Noblemen that were with Him, in the Town of *Anan*; moſt of whom, *viz* the Lord *Comyn*, and *Henry* the King's Brother,

[3] *H. K. ib.* K. *Baliol* retires to *Anan* in *Anandale.*

[4.] Buch. l. 9. *ad hunc Ann.*

[5.] *T. W. ad Ann.* 1331. *H. K.* ib. King *Baliol* grants the *Scotiſh* Noblemen of K. *David's* Party a Truce in order to a Parliament, of which they taking advantage by Surprize drive *Baliol* quite out of *Scotland.*

[5.] Boeth. Buchan. ib.

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together with divers others, they ſlew upon the Place; the King Himſelf hardly eſcaping out of His Bed, half-naked into *England*. But I muſt obſerve to you, that all this Relation concerning the Truce, depends on the Credit of our *Engliſh* Hiſtorians: For the *Scotiſh* make it no more than a bare Surprize upon *Baliol*, in time of open War; without any Truce appointed, or Meeting agreed on between them, as ours relate. Yet this much is certain, that the Conſequence of this Defeat was, That [1] King *Bailiol* being forced to quit *Scotland* for a time, fled immediately to *Carliſle*; where He was kindly received by the Lord *Dacres* Governor of that Place, and Sheriff of *Cumberland*; with whom He ſtayed during the *Chriſtmaſs* Holidays. From whence He went into *Weſtmorland*, and was there as honourably entertained by the Lord *Clifford* at *Appleby* Caſtle: And not long after, He removed into *Lancaſhire*; and reſided there for ſome time with the Lady of *Gyſnes* His Kinſwoman; who furniſhed Him with all things neceſſary, according to His Quality.

[1] *H K.* ib. K *Baliol* flies to *Carliſle*, where He is kindly received; and then goes to His Couſin the Lady of *Gyſnes*, who maintains Him.

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[2] Buch. ib. The Noblemen of *Scotland* join with the Ld. *Douglas*, to oppoſe K. *Edw.* and fortify *Berwick*.

[2] Immediately after *Baliol*'s Expulſion, thoſe Noblemen who were for K. *David*, joined with the Lord *Douglas*, then newly made Governor of the Kingdom in the room of the Ld. *Murrey*; (that had been lately taken Priſoner at *Roxburgh*) and they all agreed to make ſuch Proviſions as were neceſſary for their Defence. And believing that King *Edward* would quickly take *Baliol*'s Part, they invaded *Scotland*, and began with *Berwick*. To prevent this, the *Scots* furniſhed it with a ſufficient Gariſon, and appointed the Lord *Patrick* of *Dunbar* Governor of the Caſtle, and Sir *Alexander Seaton* to defend the Town; whilſt the Lord *Douglas* was ſent into *Anandale*, to guard the *Weſt* of *Scotland*. And in this Poſture the Affairs of that Country continued till the *Engliſh* Invaſion and Siege of *Berwick*, which happ'ned in the following Spring; and falling preſently after *Chriſtmaſs*-day, ought (according to our Account) to have been placed in the Beginning of next Year, but that I would not interrupt the Series of the *Scotiſh* Affairs.

[3.] *H. K.* Scala Chron. K. *Edward* now reſolves to make War upon K *David*.

* Rot. Pat. 6 *Ed.* 3. P. 3. m 3. And in order to it, ſends certain Ambaſſadors to demand Homage for that Kingdom: which King *David* refuſes. With His Anſwer.

[4.] *Froiſſ.* ib. cap. 26. Buchan ib.

About [3.] the ſame time, the Four Year's Truce with *Scotland* being expired, King *Edward* and His Council calling to mind the Apparent Right His Grandfather had acquired to *Scotland*, as well by the Ceſſion of King *John*, as by Conqueſt; and alſo that the *Scots* continued in a ſtrict Alliance with the *French*, the King's ſecret Enemies; It was therefore now reſolved, not to renew this Truce any longer; for it having been concluded in His Minority by the Queen His Mother, and the Lord *Mortimer*, without His Conſent, He thought Himſelf not at all obliged by it: Yet that He might not be ſaid to make War upon King *David* His Brother-in-law, without ſufficient Cauſe, * about the Middle of *December*, He ſent the Lord *Baſſet* and *William de Dunham*, as His Ambaſſadors to that Prince, to demand preſent Reſtitution of the Town of *Berwick*, being His Right by Inheritancee, as having been enjoyed by His Father and Grandfather: And further, to ſummon Him to come into *England*, and do His Homage for the Kingdom of *Scotland*, as holden of His Crown. [4.] To which Meſſage, King *David* adviſing with His Council, return'd an Anſwer to this effect: 'That He much wonder'd at King *Edward*'s Unreaſonable 'Demands; ſince it did no way appear to Him, that the Crown of '*Scotland* was ever held by Homage, or any other Service, from that of '*England*: That His Father King *Robert* had regain'd *Berwick* by the

Sword,

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‘Sword from *Edward* the Second, and He Himſelf would keep it, ſince His ſaid Father would never do Homage for it to the Grandfather or Father of King *Edward*: And then concluded with a *Proteſtation*, That He fully intended to keep the Peace lately made at *Northampton*; and hoped, the King would not give ear to evil Councellors, who endeavoured to ſtir up Diſcord between them; but ſhould rather ſuffer Him to enjoy the Antient Rights and Liberties of His Crown, for His Siſter's Sake, whom He had married, and taken into His Boſom. But theſe Affinities are of little or no Conſideration with Princes, when either Intereſt or Ambition perſuade to the contrary: For King *Baliol* being now almoſt driven out of *Scotland*, as you have heard, and knowing that He had no way left to recover what he had ſo careleſly loſt, but by the Aſſiſtance of King *Edward*, was fain to treat and agree with Him upon His own Terms; which were, to hold as much of *Scotland* as the King would allow Him, by Homage from Himſelf; as you will hear a little after.

[5.] Speed. Chron. p.564. *Sanford*'s Gen. Hiſt. p. 155. *Eleanor* the King's Siſter is married to the Earl of *Gueldres*.

We find nothing elſe conſiderable to have happened in *England* this Year, [5.] only that the Lady *Eleanor*, King *Edward*'s younger Siſter, about Fourteen years of Age, was given in Marriage to *Reginald* or *Reynold* the *Second*, Earl of *Gueldres*, a great Friend of King *Edward*'s and the *Engliſh* Nation. Her Portion was Fifteen Thouſand Pounds Sterling; no ſmall Sum of Money in thoſe days.

[1.] *Froiſ.* ib. K. *Edw.* ſends other Ambaſſadors to King *David*; who upon His denial of Homage defy Him, and declare War.

King *Edward* being now reſolved to make War upon *Scotland*, [1.] early in the Spring ſent other Ambaſſadors to King *David*, upon the ſame Errand as the former, *viz.* That He ſhould come and perform His Homage to the King of *England*. But the *Scotiſh* King and His Nobility utterly refuſing it, as they had done the time before; the Ambaſſadors declared open War, and defyed that King, according to the Inſtructions they had received from their Maſter.

[2.] *H. K.* Col. 2563. He communicates His Deſign of invading *Scotland* to His Parliament, who approve of it. * Rot. Clauſ. 7 *Ed.* 3. n. 19. Dors.

Then, for the more effectual carrying on this War, [2.] the King had before ſummoned a Parliament to meet at *York*; which being met, He communicated to them his Deſign of marching into *Scotland* in Perſon, to aſſiſt King *Bailiol*, and to reduce *Berwick* to His Allegiance; Which was agreed to by all there preſent. * Then having prefixed *Trinity-Sunday* for the time of His *Rendezvous* at *New-caſtle upon Tine*, the Parliament was diſſolved.

[3.] *H. K.* Col. 2562. The K. ſends a ſtrong Detachment thither before He went Himſelf; which joins with the Forces of *Baliol*, and taking ſeveral Places, block up *Berwick*.

[4.] But before the K. invaded *Scotland* in Perſon, He ſent a ſtrong Detachment under the Command of *Henry*, Son to the Earl of *Lancaſter*, and the Lords *Montague* and *Nevil*, who joining their Forces with thoſe King *Baliol* had raiſed in the *North* of *England*, enter'd *Scotland*, and beſieged a ſmall Caſtle near the Borders, belonging to the Lord *Colvil*, and made the Owner and ſeveral Perſons of Quality that were in it, Priſoners; then carrying away all the Proviſions they found there, they ruined the Place; and ſo marched forward to *Berwick*, which they blocked up, but could make no Aſſault upon it, until the King's Arrival with the reſt of the Army, which was not till above a Month after.

[4.] Id. ib. Sir *Arch. Douglas* enters *England*, and deſtroys the Country.

Whilſt [4.] they thus lay before the Town, Sir *Arch. Douglas* entred *England* about our *Lady-day* with Three Thouſand Men, burnt and deſtroyed the Country of *Gilleſland*, belonging to the Lord *Dacres*, for above Thirty Miles round, and ſo returned. But about the ſame time, Sir *Anthony Lucy* entred *Scotland* with Eight Hundred Men, putting all they

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they met to Fire and Sword; yet as they returned with a great Booty of Cattel, Sir *William Douglas*, Governor of *Lockmabam*, ſally'd out upon them with a great many Men, between whom and the *Engliſh* there began a fierce Encounter, in which the *Scots* were routed, and *Douglas* was taken Priſoner, and the *Engliſh* came off victorious.

[5.] *T.W.* *Ad Ann.* 1332. *ſed falſo.*

K. *Edward* invades *Scotland* in perſon, and beſieges *Berwick*, whereupon the Beſieg'd deſire a Truce.

King [5.] *Edward* having muſter'd his Forces at *New-caſtle*, invaded *Scotland* about the end of *April* with a powerful Army, and coming before *Berwick*, laid cloſe ſiege to it by Sea and Land, and when He had continued ſo to do for above a Month, there happened a Cruel Fire in the Town, which made the Beſieged deſire a Truce for ſome time, upon promiſe of ſurrendering it and the Caſtle, If they were not relieved within fifteen days, and gave twelve Hoſtages for the performance of it. But before that time was expired, all the Nobility of *Scotland*, who took part with King *David*, marched with a great Army under the conduct of the Lord *Archibald Douglas* their General, to the ſuccour of the Beſieged, as far as the River *Tweed*; but finding it very difficult to relieve the Town, they reſolved to act by way of diverſion, and hearing that the Young Queen was then in the Caſtle of *Bamburgh*, in *Northumberland*, they marched thither with all haſt, in hopes to ſurprize it, or at leaſt to divert King *Edward* from the Siege; but being likewiſe fruſtrated in this Deſign, in their return they ſpent ſix days in burning and ſpoiling the Country; then being further encouraged by freſh Meſſages, and importunate Requeſts, from the Beſieged, [1.] that if they would again advance and fall upon the *Engliſh* Army, they muſt in all probability prevail, ſince they much exceeded them in number of Men, and that otherwiſe the Town muſt certainly be ſurrendered; upon this the *Scots* returned to relieve *Berwick*, having drawn up their Army in four great Battalions under as many Noblemen of note. On *Monday* the Nineteenth of *July* King *Edward* marched forth to meet them, leading up His Army in Perſon, and on *Bothul*, or *Halydown-hill*, not far from *Berwick*, fought with, and routed the whole *Scotiſh* Army, tho much ſuperior in number, killing between thirty and forty thouſand, and the reſt, being about twenty thouſand more, run away. But the *Scotiſh* [2.] Writers will own but ten thouſand, or, at moſt, but fourteen thouſand to be ſlain in this Battel; whereupon, within two days after, the Beſieged ſurrendered both the Town and Caſtle to the King's Mercy, [3.] who kept it in His own Hands by the Right of Conqueſt, as well as that derived from His Father and Grandfather: but as for the reſt of *Scotland*, He left the New King *Baliol*, with a ſufficient Army, to reduce it to His Obedience.

Chron. Lan. The *Scotiſh* Nobility march to their relief, but finding it very difficult, enter *Northumberland* with a deſign to ſurprize the Queen, but being fruſtrated, they burn and ſpoil the Countrey.

T.W. ib. [1.] *H. K* ib. The *Scots* march back to the relief of *Berwick*, and being met by K. *Edward* at *Halydown Hill*, are there utterly routed, and great numbers ſlain.

[2.] Boeth. Buchan. Whereupon the Town and Caſtle of *Berwick* are ſurrender'd to King *Edward*.

[3.] *C. A. M.* [4.] *T. W.*

Upon this great Change of Affairs, [4.] the *Scotiſh* Prelates, (who were all of *Bruce*'s Party) fled ſome of them into *France*, and others to the Pope, to make their Complaints, and implore their Aſſiſtance againſt King *Edward*, but to little purpoſe.

*L. 15. l. 9. K. *Ed.* vindicated from the aſperſion of Cruelty laid to His Charge by the *Scot.* Hiſt. for executing the two Sons of Sir *Alex Seaton*.

I muſt not here omit taking notice of a moſt Tragical Story which is related by **Boethius* and **Buchanan* of King *Edward*'s Cruelty at the Siege of this Town, *viz.* That Sir *Alexander Seaton* the Governor having had *Alexander* his Second Son lately taken Priſoner, afterwards delivered his Eldeſt Son to the King as a Hoſtage, That he would ſurrender up the Town by ſuch a day if he were not relieved, and that upon the approach of the *Scotiſh* Forces, for this purpoſe, King *Ed-*

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ward before the day came, ſummon'd the Governor to ſurrender, which he refuſing, both his Sons were brought forth, and a Gibbet being ſet up in ſight of the Town, the King ordered him to be told, That if he would not immediately give it up, both his Sons ſhould be hanged before his Face: He was ſometime in ſuſpence what to do, but as he was about to have yielded to the King's Demands, the Mother of the Young Men comes up to her Huſband, then upon the Wall, and there harangued him in a long ſtudied Speech, (which it is plain *Boethius* made for her, by the Stories he alludes to out of the *Greek* Poets); upon which the Governor's Mind being now ſetled, he rather choſe to let both his Sons loſe their Lives, than to be falſe to his Truſt. This is the Sum of that Relation, which is there ſet out with all the Rhetorick and aggravating Circumſtances thoſe Eloquent *Authors* were Maſters of; which tho' it hath ſome truth in it, yet is diſguiſed with ſo many Falſe Colours as gives it quite another Turn, and would make King *Edward* one of the Falſeſt and moſt Cruel Princes that ever lived; which is a Character not given Him by any other *Authors*.

Vid. Bocc. Parnaſſ. print *1656.* p. 68.

But I ſhall from two Manuſcript [4.] Chronicles (of ſufficient credit) give you a truer Account of this Tranſaction, which happened thus: When the fifteen days Truce made with the *Scots* at *Berwick*, upon the Terms already recited, were expired, and the *Scotiſh* Army could put no Relief into it, for the Reaſons already given, King *Edward* ſummon'd the Beſieged to ſurrender; but Sir *Alexander Seaton* the Governor, ſent Him word, That he did not think himſelf obliged to do it, ſince he ſtill hoped the *Scotiſh* Army might relieve * the Town within a few days: To which the King return'd Anſwer, That the time of the Truce being expired, and no Relief put into the Place, and the *Scotiſh* General not having been able to raiſe the Siege, or beat him from his Poſt, within the time limited, He therefore expected the performance of the Treaty; but when the Governor perſiſted in his Reſolution, and began to find other Evaſions in the *Articles* of the Truce, this Double Dealing ſo highly provok'd the King, that (by the *Advice* of His *Council*) He commanded one, and not both of the ſaid Governor's Sons (as the *Scotiſh* Writers, to aggravate the Matter, falſly relate) to be hanged before His Face; which Execution (tho perhaps too ſevere) wrought this Good Effect upon the reſt of the Gentlemen and Townſmen, whoſe Sons were alſo Hoſtages, that fearing the King ſhould treat them after the ſame manner, they came to new Terms with Him, and obtain'd a Prolongation of the Truce for eight days more; within which time, if they were not relieved by two hundred Men at Arms at the leaſt, they would then ſurrender the Town and Caſtle without any further delay. But the *Scotiſh* Army which once more endeavoured it within that time, being routed, the Town was thereupon immediately ſurrendered: Now tho King *Edward* did upon cooler Thoughts grant the Beſieged a longer time, yet He could no ways be accuſed either of Cruelty, or breach of Faith, if He did what the very *Articles* of the Firſt Truce allowed Him: nay the *Scotiſh* Hiſtorians themſelves a few Lines after own, that Sir *Alexander Seaton* upon the delivery of the Town, was compell'd to own and do Homage to King *Edward*, and come into His Party, which he would never certainly have done by any compulſion whatever, had the King juſt before uſed him thus barbarouſly, contrary to the *Articles* He had made.

[4.] Chron. Lan. Scala Chron.

* *Ad hunc Annum.*

This

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This I take notice of, that ſo the Ordinary Readers of the *Scotiſh* Hiſtory may not be carried away by the Natural Byas of thoſe *Authors* who always ſpeak for their Countrey, right or wrong.

I muſt here likewiſe obſerve, that *Walſingham*'s placing theſe Tranſactions under the Year 1332, is a Miſtake; for all the *Scotiſh*, as well as our Own Writers relate this Battel, and the taking of *Berwick*, under this preſent Year.

The King having put a Gariſon into *Berwick*, leaves K. *Baliol* to carry on the War, and returns home.

To ſay ſomewhat more concerning this Town; it being thus reduced to King *Edward*'s Obedience, He ſtay'd there ſome days to refreſh Himſelf and His Soldiers after ſo great a Fatigue, and put an *Engliſh* Gariſon into it to keep it for His Uſe, [5.] giving the *Scotiſh* Townſmen forty days time to diſpoſe of their Effects, and be gone: and Leaving the remainder of the War to be finiſhed by King *Baliol*, whom He left His Lieutenant General, [6.] He return'd into *England* with a ſmall Retinue, to go on Pilgrimage to pay His Devotions to certain Holy Places which He had vowed to viſit, if God ſhould give Him ſucceſs in this Expedition.

[5.] *H. K.* Ib.
[6.] *T. W.* ib.

Who performs it with good ſucceſs, taking almoſt all the *South* of *Scotland*, except the Caſtle of *Dunbritton*.

Then the New King of *Scots*, after the departure of K. *Edward*, at the Head of twenty ſix thouſand Men, (moſt of them *Engliſh*, with ſome few *Scots* that took part with Him) marched forward to proſecute His Succeſs into the very heart of *Scotland*, taking Towns and Caſtles at His pleaſure, for there were none to reſiſt Him; ſo having paſſed beyond the *Frith* of *Edinburgh*, and reduced all the Strong Places that held out for King *David*, except *Dunbritton*, and a few other Caſtles, He came to *Edinburgh*, and there remain'd the reſt of this Winter.

* *Ad hunc Annum.*

But I cannot here omit what the Chronicle of **Lanercoſt* relates; That a little before the Siege of *Berwick*, *Baliol* ſent to King *David*, that if He would come in upon His ſafe Conduct, and ſurrender up His Right to the Kingdom of *Scotland*, He ſhould then quietly enjoy all the Lands and Inheritance of His Father and Grandfather, but thoſe that had the government of this young Prince, would not permit Him to accept of ſuch mean Conditions, but rather to quit the Kingdom: For about this time (as [1.] the *Scotiſh* Authors relate) He having now almoſt loſt it, they thought it ſafeſt for Him to leave *Scotland*, and together with His Queen to go over into *France*, where they were kindly recieved by King *Philip*, who allowed Him a Maintenance ſuitable to His Dignity; and not long after the Antient Leagues that had been formerly made between the *French* and *Scots* were again renewed; the *Articles* of which I need not here mention: But King *Philip* thought He might very well juſtifie this Proceeding, becauſe King *Edward* had not long before kindly received the Lord *Robert* of *Artois*, His Mortal Enemy, who had been proclaimed a Traytor in *France*, and being arrived here in *England*, did all he could to excite King *Edward* to renew His Claim to that Crown.

[1.] Boeth. Buchan. ib.

King *David* leaves *Scotland*, and retires with His Queen into *France*.

[2.] *H. K.* col. 2565.

* Called by my Author *Mare Scoticum*.

[3.] *T. W. ad Ann.* 1332.

King *Baliol* having reduced moſt part of the *North* of *Scotland*, calls a Parliament at *Perthe*, where all the *Engliſh* Lords that held any Lands in *Scotland* did Him Homage.

After *Bruce*'s departure, King *Baliol* took this Opportunity to reduce almoſt all the reſt of *Scotland* to His Obedience, [2.] for about the middle of *Auguſt*, He marched again with above twenty thouſand Men beyond the * *Frith*, and took moſt of the Strong Places in the *North*; and now finding Himſelf pretty well eſtabliſhed in His Throne, [3.] He ſummon'd a Parliament, about *Michaelmas*, to meet Him at *Perthe*, *alias*, St. *John's-Town*, to which all thoſe *Engliſh* Lords, that claimed Eſtates in *Scotland*, came, and there did their Homage for the reſpective

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Lands they held under Him, excepting the Allegiance they owed to their Sovereign Lord the King of *England*; the chief of theſe were the Lord *Beaumont*, Earl of *Buchan*, the Lord *Richard Talbot*, *David* Earl of *Athol*, the Lord *Henry Piercy*, with divers other *Engliſh* Noblemen, who were all now reſtored to the Honours and Eſtates which they claim'd in *Scotland*; and in this *Parliament* all *Acts*, *Statutes*, *Ordinances* and *Grants* of Lands made by *Robert* or *David Bruce*, late Kings of *Scotland*, were declared null and void. Thus King *David* was ſeemingly unking'd, and *Edward Baliol* to all appearance placed in the *Scotiſh* Throne; but within a few Years He was turn'd out, and *David* again reſtored, tho it proved in the end to His greater Diſgrace, as you will find hereafter. But to return to our own Affairs:

King [4] *Edward* having ſtaid in *England* untill He had perform'd His Pilgrimage, and offer'd His Thanks to God at the Shrines of St. *Edward* at *Weſtminſter*, and St. *Thomas* at *Canterbury*, and other Holy Places, then that He might be the more ready wholly to renew the War next Spring, in the beginning of *November* He again took a Journey into *Scotland*, as far as *Roxburgh*, where He ſtay'd until after *Chriſtmaſs*; and there we ſhall leave Him for a time, and conclude this Year with [5] the Death of *Simon Mepham*, ABp of *Canterbury*, who deceaſed in *October*, and was ſucceeded by *John Stratford*, Bp of *Wincheſter*, a Prelate of great Learning and Judgment.

[4] Id. ib. King *Edward* having viſited the Shrines of divers Saints, returns into *Scotland* before Winter.

[5] Chron. *Will. Thorne.* in hunc An. The death of *Simon* ABp. of *Canterbury*.

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The [1.] King having kept His *Chriſtmaſs* at the Place abovemention'd, went to *Edinburgh* about the beginning of *February*, where King *Baliol* then held a *Parliament*; who in the preſence, and by the aſſent, of the Prelates, Earls, Barons, Knights, and Others of His Kingdom in the ſaid *Parliament*, did Homage to King *Edward* in *French*, in this Form, as it is expreſſed in His Charter. *I* Edward, *by the Grace of God, King of* Scotland, *and the Iſles thereto belonging, become your Liegeman for this Realm, and the Iſles, againſt all People that can live and die.* Then the Charter proceeds thus; ‘And the ſaid King of *England* received our Homage in the Form aboveſaid, as Sovereign Lord of the Realm of *Scotland*, and the Iſles; and He then entred into the *Faith* of the ſaid King of *England*, Sovereign Lord of the ſaid Realm and Iſles, touching the Holy Goſpels, with the Words that follow: We will be true and faithful to our moſt dear Lord the King of *England*, and to His Heirs, as Sovereign Lords of the ſaid Realm of *Scotland*, and Iſles, againſt all People that live and die; and We grant and oblige Us, and our Heirs to do ſo our ſaid Lord the King of *England*, and His Heirs, Liege-Homage and Fealty in the Forms above written, upon every change of a Lord, or renewal of one Party or the other.

[1]. H. K. *ad. Ann.* 1333. The King goes to *Edinburgh*, and there receives Homage from King *Baliol*; with the Form of it.

In the ſame *Inſtrument* He granted to King *Edward*, *Berwick*, &c. In witneſs whereof He then made His Letters Patents dated at *Edinburgh* the Twelfth of * *February*, *A. D.* 1333. in the Second Year of His Reign.

The *French* Original of this *Charter* under the Great Seal of *England*, is ſtill preſerved in a Box, entituled, *Scotia*, *Tempore Regis Edwardi Tertii*; which is in a great Cheſt with that ſame Title, in the Old *Chapter-Houſe* at *Weſtminſter*, where the *Reader* that is curious to view ſuch Antient Monuments may find it, or may be ſatisfied with the Tranſcript of it, printed in Dr. *Brady*'s †Second Volume of His Hiſtory; and this rather deſerves our notice, because none of our Hiſtorians either in Print

*Note, according to this Account, the Year begins at our *Lady-day*; but we beginning at *Chriſtmaſs*, it was *Ann. Dom.* 1334, as we now place it

† Pag 195.

in Print or Manuſcript, ſay any thing of this Charter, nor mention any Homage to have been done by this *Baliol* to our King *Edward*.

*Rot. Parl. 8 *Ed.* 3. *Cot.* Abridg. p. 15.

A Parliament held at *York*, and what was done there.

The King having thus ſetled His Affairs in *Scotland*, immediately return'd to *York*, * whither He had ſummoned a Parliament to meet on the Twenty Firſt of *February*. The Chief Matters then enacted were, *That the Great Charter and Liberties of the Foreſt, and other good Statutes*, ſhould be duly obſerved; and what Clauſes therein were obſcure, ſhould by good Advice be explained. There were alſo ſeveral other Acts then made, which the Reader may find in our Printed Statute-Book: And he may alſo ſee an Abſtract of them among the Laws at the End of this King's Reign; and as for other Tranſactions in this Parliament, he may conſult *Cotton's Abridgment* of Records.

[2.] *T. W. in Ann.* 1333.

The K. advances towards *Scotland*, and at *Newcaſtle* renews His Homage, as did alſo ſeveral *Scotiſh* Lords.

[3.] *H. K.* Col. 2566.

K. *Baliol* grants to K. *Edward* the Towns and Caſtles of *Berwick* and *Roxburgh*, with ſeveral other Lands to the value of 2000*l*. *per Ann.*

So ſoon as the Parliament was ended, [2.] King *Edward* advanced again towards *Scotland*, and kept His *Whitſuntide* at *New-caſtle* upon *Tine*; and on the Nineteenth of *June*, (as *Walſingham* relates) *Baliol* there renew'd His Homage to King *Edward* for the Realm of *Scotland*; tho' I am apt to conceive it to be a Miſtake in this Author, as alſo in *Adam de Murimuthe*, who alſo makes this Homage to be done about *Midſummer*; whereas it is moſt likely to have been no more than the ſame Homage which was already performed in *February* before at *Edinburgh*, and which is juſtified by His Charter upon Record. But this is more certain, [3.] that at this time, *David* Earl of *Athol*, and ſeveral other *Scotiſh* Lords who held Lands in *England*, then did Homage to King *Edward* for the ſame. But what is yet more remarkable, King *Baliol* at the ſame time granted to King *Edward* His Letters-Patents, reciting, That whereas the ſaid King had by the great ‘Expence and Labour of Him and His People, given Him great Aſſiſtance in the Recovery of His Inheritance, He therefore granted and aſſigned for Him and His Heirs, unto the ſaid King, Two Thouſand Pounds yearly in Lands and Rents, in the Borders where it ſhould beſt pleaſe Him; and in Part of this Two Thouſand Pounds *per Ann.* farther granted Him the Caſtle, Town, and County of *Berwick* upon *Tweed*, with their Appurtenances, Seperate from the Crown of *Scotland*, and to be annex'd to the Crown of *England* for ever, by Aſſent of the Prelates, Earls, Barons, Knights, and Others of that Kingdom in Parliament aſſembled. And in further and full Satisfaction of the ſaid Two Thouſand Pounds *per Ann.* by the ſame Aſſent in Parliament, He alſo gave, granted, and aſſigned, the Town, Caſtle, and County of *Roxburgh*; the Town, Caſtle, and Foreſt of *Jedworth*; the Town and Caſtle of *Selkirk* and *Etrick*; the Town, Caſtle, and County of *Edinburgh*; with the Conſtablaries of *Haddington* and *Linlithgou*; the Town and County of *Pebles*, and Town, County and Caſtle of *Dunfrees*, with their Appurtenances, Knights Fees, and Services; with all the Advouſons of Churches, Chappels, Religious Houſes, Cuſtody of the Temporalties in the time of the Vacation of Biſhopricks, and all other Things whatſoever belonging to them; and with the Subjection and Government of the People in thoſe Places; to hold them to Him and His Heirs, ſeparate from the Crown of *Scotland*; and annexed unto, and incorporated with the Crown of *England* for ever. This was dated at *New-caſtle* upon *Tine*, the Twelſth of *June* in the Second Year of His Reign: The Original whereof

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whereof under the Great Seal of *Scotland*, is in the ſame Box above-noted, and alſo confirm'd by ſeveral other Inſtruments in the ſame place, under the Great Seal of that Kingdom.

But this Homage, and theſe over-liberal Conceſſions made by the New King of *Scots* to King *Edward*, were ſo far from advancing the Intereſt of either Prince, that they rather ſerved to turn the Body of that Jealous Nation againſt them both; ſince the *Scots* plainly ſaw, that *Edward* ſought His own *Grandeur* and Intereſt above that of their Country; and they looked upon this New King only as an Inſtrument ſet up to promote His Deſigns. For [5.] not long after the Earls of *Bouchan* and *Athol* being diſcontented, by reaſon of a Sentence which King *Baliol* had given in Parliament in favour of Sir *Alexander Mowbray*, for certain Lands he claimed againſt the former of theſe Earls, who had married one of the Daughters and Heirs of Sir *John Mowbray*, elder Brother to Sir *Alexander*; they both at once revolted, and fortified their Caſtles againſt Him, and became the Heads of the *Brucean* Party. [1.] About the ſame time alſo, the Lord *Talbot*, very angry that his Advice was not followed, reſolved to quit King *Baliol*'s Service, and return into *England*: But travelling thither with a ſmall Retinue, he was met with, and taken Priſoner by ſome of King *David*'s Party; and being carried to the Caſtle of *Dunbritton*, could not obtain his Liberty, until he had paid Two Thouſand Marks for it.

Theſe over-liberal Conceſſions turn the *Scotiſh* Nobility againſt K. *Baliol*.

[5.] Buch. l. 9. Many of whom being diſcontented upon that as well as other Accounts, revolt from Him.

[1.] *H. K.* ib. The Lord *Talbot* in his Return into *England* is taken Priſoner, and carried to the Caſtle of *Dunbritton*.

After theſe things, [2.] King *Baliol*'s Affairs met with various Succeſſes; for tho' He took the Town of *Ranfew*, and the Iſle of *Bute*, with divers Caſtles in *Kyle* and other Places, yet Sir *Alexander Mowbray*, highly incenſed that the King had revoked the late Sentence given in His favour, and adjudged thoſe Lands that were ſtill in Diſpute, to the Lord *Beaumont*, and the Earl of *Athol*, to bring him over again to His Party: He therefore took up Arms, and joining with the Lord *Andrew Murray* then Governor of that Part of *Scotland* which held out for King *David*, they beſieged the Lord *Beaumont* in the ſtrong Caſtle of *Dundarg*; to whoſe Relief the King of *England* not long after marched, but without performing what He went for, as you will find anon. But this is certain, [3.] that the greater Part of the Nobility and People of the Kingdom of *Scotland* were ſo incenſed againſt both Kings for this laſt Homage to King *Edward*, that riſing up in Arms, they ſlew ſeveral of His Adherents, and forced K. *Baliol* out of that Kingdom: So that He went into *England*, and paſſed ſome time at *Ravenſhelm*, (or rather *Ravenskelthe*-Caſtle) in *Yorkſhire*, till King *Edward* could come to His Aſſiſtance. This is the Sum of the *Scotiſh* Affairs which were tranſacted the reſt of this Summer, and part of the Winter following. But it is time to return to thoſe of *England*.

[2.] Id. ib. The various Succeſſes of K. *Baliol*'s Affairs in *Scotland*.

[3.] *T. W. An.* 1333, *falſo, ſed Yp. Neuſt.* 1334. The greater Part of the Nobility and People of *Scotland* take Arms and drive back K. *Baliol* out of that Kingdom into *England*.

King *Edward* after He had parted with the *Scotiſh* King at *New-caſtle*, went immediately to *Windſor*; from whence He ſummoned the Biſhops, Earls, and Barons, to meet Him at [4.] *Nottingham* on the *Tenth* of *July*, to adviſe about the Arduous Affairs of the Realm. In this Council 'twas ordained, That a Parliament ſhould * be ſummoned to meet at *Weſtminſter* on *Monday* after the Exaltation of the Croſs, or about the *Twentieth* of *September*; which meeting accordingly, the King did then declare, [5.] That being now thereto invited by His Couſin the Duke of *Bretaigne*, who came lately on an Ambaſſy from *France*, He had form'd a Reſolution to take a Voyage with the *French*

[4.] Id. Hiſt. ad An. 1333.

* Rot. Clauſ. 8 *Ed.* 3. m. 18. Dorſ. *T. W.*

The K. calls a Parliament; wherein He again propoſes His Voyage to the *Holy Land*.

[5.] *T. W.*

King and other *Chriſtian* Princes to the *Holy-Land*: For tho' He had not as yet anſwered King *Philip* directly, when He requeſted his Company in this Expedition, becauſe He had been credibly inform'd, that about this time He had ſent out ten great Ships, deſign'd for *Scotland*, to aſſiſt King *David*'s Party: Yet foraſmuch as thoſe Veſſels, being miſerably ſhatter'd at Sea, were at laſt forced to return home without any effect, and alſo becauſe *Scotland* then ſeemed pretty well ſetled under the Government of King *Baliol*, He was the more willing to partake with the reſt of the Princes of *Chriſtendom* in this Enterprize, tho He had ſet no time for the doing of it.

[5.] *T. W.* ib.
That Deſign is quaſhed, upon the ill News out of *Scotland*.

[1.] Id. ib. *H. K.* C. 2565.

But this Deſign was preſently quaſhed, by reaſon of the ill News which came before this Parliament broke up, [5.] *viz.* That the *Scots* had again rebelled againſt King *Baliol*, and taken the Lord *Talbot* Priſoner, and beſieged the Lord *Beaumont* in his Caſtle, as hath been already related: Whereupon the King had granted Him towards His War with *Scotland* [1.] a *Fifteenth* from the Lords and Knights of Shires, and a *Tenth* from the Clergy, as alſo the like from the Citizens and Burgeſſes: And then the Parliament broke up.

[2.] Id. ib.
He thereupon immediately marches towards *Scotland*; but before He could arrive, the Ld. *Beaumont* ſurrenders the Caſtle of *Dundarg*, together with himſelf.

* Rot. Pat. 9 *Ed.* 3. p. 2. m. 22.
And was forced to pay a great Ranſom for his Liberty.

Immediately after which (tho' it were now late in the Year) [2.] the King made another Expedition into *Scotland*, but not being able to reach *Berwick* until *All holland-tide*, the Lord *Beaumont* was forced to ſurrender the Caſtle of *Dundarg* for want of ſpeedy Relief, and was himſelf made a Priſoner: tho' not diſcharged upon his Parole, (as *Hect. Boeth.* relates) but he was fain to pay a great Ranſom for his Liberty, as appears from a * Record; which ſhews, that about a Year after, King *Edward*, in requital of his Services, acquitted him of all ſuch Debts as were due from him to the *Exchequer*; and then too He particularly forgave him (among the reſt) Four Hundred Marks formerly lent unto him at *York*, towards the Payment of his Ranſom in *Scotland*.

[3.] *T. W. ad An.* 1333. *ſed in Ypod. Neuſt.* 1334 *quod rectum eſt.*
K. *Edward* enters *Scotland*, joins K. *Baliol*'s Army, and marches in perſuit of thoſe *Scots* that took part with K. *David*, as far as *Caithneſs*, and then returns to *Berwick*.
The Earl of *Dunbar* revolts.
K. *Edw.* keeps His *Chriſtmaſs* at *Roxburgh*.

Yet preſenly after, [3.] about the middle of *November*, King *Edw.* enter'd that Kingdom (by the way of *Galloway*) with a Gallant-Army, which He joined to King *Baliol*'s; who, being thus ſtrengthened by theſe Forces that were now lent Him, marched as far as *Glaſco* and *Cunningham*, ſpoiling all before Him. In the mean while K. *Edward* not troubling Himſelf with ſtaying to take in any Caſtles or other ſtrong Places, perſued thoſe *Scots* who continued of King *David*'s Party as far as beyond *Caithneſs*, which was farther than *Edward* his Grandfather had ever been. After theſe Actions, the two Kings of *England* and *Scotland* rejoined their Forces, and returned towards *Berwick*. Then not long after, *Patrick* Earl of *Dunbar* revolted, and retiring into the *Highlands*, denounced his Homage to both Parties; which made King *Edward* remain the reſt of this Year in the Borders of *Scotland*, and keep His *Chriſtmaſs* at *Roxburgh*, ſtill having with Him the Pope's *Nuncio*; who was come to mediate a Peace between Him and *David* King of *Scots*, that was ſtill in *France*.

[4.] *T. W.* ib.
The Death of Pope *John* XXII.

As to Foreign Affairs, I can find nothing remarkable, [4.] except the Death of Pope *John* XXII. who deceaſed at *Avignon* the *Fourth* of *December*; being a Prelate of a Haughty Spirit, having had perpetual Feuds with the Emperor *Lewis* of *Bavaria*, whom He had excommunicated. On the *Twentieth* of the ſame Month, *James* Cardinal of St. *Priſca*, a Native of *Foix*, was elected in his ſtead by the Name of *Benedict* the *Twelfth*; a Perſon of great Prudence and Frugality, tho' being a *Frenchman*, he always ſhewed Himſelf Partial to the Intereſt of that King, againſt the King of *England*.

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King *Edward* having [5.] kept His *Chriſtmaſs* at the Caſtle of *Roxburgh*, which He had newly repaired, preſently after the Holy-days marched into the Foreſt of *Etherick*, looking for the *Scots* whom He heard were there: But none daring to appear, He ſent King *Baliol* with the Earls of *Warwick* and *Oxford* to *Carliſle*, to defend that Side againſt any Incurſions of the Enemy. But the Earls hearing by the way, that the Earl of *Murrey* and many *Scots* in his Company, lay at *Pebles*, they turned thither; and putting moſt of them to the Sword, deſtroy'd the adjacent Country; and then went on to *Carliſle*, where they ſtayed the reſt of this Winter. Preſently after the Feaſt of *Epiphany*, there came thither the *Militia*'s of the Counties of *Lancaſter*, *Weſtmorland*, and *Cumberland*; who after ſome ſtay marched into *Scotland*; and joining with King *Baliol* and the Earls and Barons that ſided with Him, burnt and ſpoiled all the Country next the Borders that held out againſt Him; and then the *Engliſh* returned to *Carliſle*.

[5] *Ypod. Neuſt. ad An.* 1335. Chron. Lan. *ad An.* 1334.

King *Edward* ſends K. *Baliol* with ſeveral Earls to defend all the *Engliſh* Borders, and in their way they rout the E of *Murrey*'s Forces.

And now K. *Edward* having done as much as He could in *Scotland* for this time, return'd into *England* by the way of *New-caſtle*. From thence [1.] He went to *Nottingham*, where He held a Private Council with His Nobility *on *Mid-Lent-Sunday*, and then gave an Anſwer to the Biſhop of *Auranches* and a certain Baron whom the *French* King had lately ſent over to ſollicit a Peace for the *Scots*; which tho' King *Edward* would not agree to, yet He granted them a Truce from *Eaſter* until *Midſummer* following, at the Interceſſion of theſe Ambaſſadors, as alſo for the convenience of His own Affairs. During this Interval, whilſt the King continued at *Nottingham*, He iſſued out * Writs for a Parliament to meet at *York* on the morrow after the Feaſt of our *Lord's Aſcenſion*, there to treat how to carry on the War againſt the *Scots*, when the Truce ſhould expire: And farther in this Parliament, divers Laws were enacted that proved for the General Good of the Kingdom; an Abſtract of which you will find at the end of this Reign, and thoſe that deſire to ſee them at length, may conſult the Statute-Book.

[1.] Id. Hiſt *ad An.* 1334.
* Rot. Clauſ. 9 *Ed.* 3. m. 34. Dors. *H. K.*

The K. being returned into *England*, holds a Great Council at *Nottingham*.

* Rot. Clauſ. 9 *Ed.* 3. m. 28. Dors.

After which He holds a Parliament at *York*; and what was done there.

Then about [2.] *Midſummer*, the Truce being near expired, the King marched again with His Army to *New-caſtle*, whither K. *Baliol* came to Him from *Carliſle*; and here it was agreed between them and their Council, That King *Edward* ſhould on the *Twelfth* of *July* enter *Scotland* on that ſide next *Carliſle*, whilſt the *Scotiſh* King did the like on the other ſide; which was put in execution accordingly: For on the *Eleventh* of that Month, the King being attended by the Lord *Henry*, Son to the Duke of *Lancaſter*, with ſeveral other of the Earls and Barons of *England*, enter'd *Scotland*, and [3.] paſſing over *Solway-Frithe*, marched thro' *Anandale* without any Oppoſition, or ſeeing any of the *Scotiſh* Forces; but what were become of them you will ſee by and by. In the mean while, King *Baliol* alſo enter'd *Scotland* on the other ſide, beſieged and took the ſtrong Caſtle of *Cumbermouth*, belonging to the Earl of *Athol*, and in it divers Perſons of Quality, whom He made Priſoners.

[2.] Chron. *R. Southwell*, cited by *Holingſhed*, p. 898.

The Truce being expired, the K. marches again towards *Scotland*, and He and K. *Baliol* invade it at once at two different Parts.

[3.] *H. K.* Col. 2565.

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[3.] Id. ib.

he *Scots* taking their advantage, ſurprize 500 *Engliſh*, whom they put to the Sword. *Holingſ.* ib.

The Earl of *Namur*, with his Brother going to the aſſiſtance of K. *Edward* are taken Priſoners yet are ſoon diſcharged.

The Earl of *Murrey* is taken Priſoner.

[4] *Holingſhed*, pag. 898.

But [3.] tho the *Scots* were ſuppoſed to be retired into their Woods and Mountains for ſafety, yet they only lay upon the watch to take their advantage; for ſhortly after, under the conduct of the Earls of *Murrey* and *Dunbar*, they ſurprized five hundred *Engliſh* Archers, who, returning home too ſecurely, as not dreaming of any danger, were put all to the Sword; and not long after *John* Earl of *Namur*, (called by the *Scotch Earl* of *Gelder's*, but falſly) with Sir *Robert* his Brother, having landed in *England*, marched to the aſſiſtance of King *Edward*, together with divers Barons and Knights, and a choice Band of one hundred Men at Arms, who being on their March near *Edinburgh*, were aſſaulted by the *Scots* under the conduct of the Earl of *Marche* and the Lord *Douglas*; and after a ſharp Conflict, retiring to a ruin'd Caſtle for defence, were at laſt forced to ſurrender themſelves Priſoners; yet either out of Generoſity or Policy, to gratify the King of *France*, (theſe Young Princes being his Kinſmen) they were not only releaſed by the Lord *Randulph* the Governor, and the Earl of *Murrey*, but were alſo by him convey'd back as far as the *Engliſh* Borders; however the Earl payd dear for his Complement, [4] for in his Return being met with by the Gariſon of *Roxburgh*, his Party was routed, and he was taken Priſoner by Sir *William Prieſtwood*.

[5.] *T. W.* ib. *Hol.* Hiſt. *Scot.* 899.

[5.] Some time after this, *John* Earl of *Cornwal* entred *Scotland*, and having joined his Forces with thoſe of Sir *Anthony Lucy*, they deſtroy'd *Galloway*, *Carrick*, *Kyle*, and all the *Weſtern* Parts that ſtill held out againſt King *Baliol*; after which Succeſs Earl *John* marched to St. *John's-Town*, where he found the King his Brother newly returned from His Expedition into the *High lands*.

[1.] *H. K.* col. 2367. O. *de Raynol ad. Ann.* 1335.

[2]. H. K. ib.

King *Edward* being come back from thence, ſpent ſome time in repairing and fortifying the *Town* of *Perth* which had been lately burnt; and whilſt He lay there, He received Ambaſſadors from the King of *France*; who, to hinder His further Progreſs in *Scotland*, [1.] had alſo procured the *Pope* to do the like, to mediate a Peace between King *David* and Him, and alſo to deſire Him to accompany King *Philip* in the *Holy War*, which He had lately undertaken by the *Pope's* Encouragement and Perſwaſion: But [2.] *Edward* being offended at the *French* King's intermedling ſo far in His Affairs, gave His Ambaſſadors a ſhort and reſolute *Anſwer* to this effect, 'That He was able (He bleſſed God) to make War upon the Infidels when He thought fit, without any aſſiſtance from their Maſter; and that He neither could nor would undertake any Foreign Expedition, till He had ſubdued his Enemies the *Scots*.

The *Scotiſh* Nobility are forced to ſubmit to the King, with their Names.

[3.] *Rob. de Aversbury's* MS. Chron. cap. 21. in Bib. Dom. Sim. Dew's.

Thus King *Edward* put off the King of *France's Ambaſſadors* at that time, and proceeded with ſuch ſucceſs in *Scotland*, that about the middle of *Auguſt* many of the *Scotiſh* Nobility of King *David's* Party who were tired out, came [3.] in upon his ſafe Conduct, and ſubmitted themſelves to his Majeſty at St. *John's-Town*, the chief of whom were *David* Earl of *Athol*, and the Lord *Robert*, Steward of *Scotland*; but before they actually came in, certain Lords and Knights of their Party treating with King *Edward* and *Baliol's* Counſellors, concluded upon a Peace in the Following Form, and under this Title; the Original of which is in *French*.

Theſe [4.] are the Points and things accorded between the Council of the Kings of *England* and *Scotland* of one part, and the Lords *Alexander de Mowbry*, *Geoffrey de Mowbrey*, *Geoffrey de Roſs*, Sir *William Balloke*, and *Euſtace de Loreigne*, having full Power from the Lord *David de Strabolgi*, Earl of * *D'aſcelle*, and *Robert*, Steward of *Scotland*, to treat, accord and agree all Points between the aforeſaid Kings, and the ſaid Earl and Steward on the other part.

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[4.] Id. ib. *H K.* c. 2566.

The *Articles* of Agreement between the Kings of *England*, and *Scotland* and them.

* *i. e.* Earl of *Athol*, then called in *French Aſcellet.*

Firſt, It is accorded and agreed, that the Earl of *Aſcelle*, and the Great Men and Others of the *Community* of *Scotland*, who came into theſe Conditions, ſhall have Life and Member, their Lands, Tenements, Fees and Offices in *Scotland* ſaved to them, which they ought to have by *Heritage* or other Right, except thoſe that ſhall be excepted by Common Aſſent.

2. Alſo 'tis agreed, that they ſhall have pardon of Impriſonment for all Treſpaſſes by them done in the Realms of *England* and *Scotland*, from the beginning of the World to the Day of the date hereof.

3. The *Third* is a Reſervation for the Earl of *Aſcelle*, and Sir *Alexander Mowbray*, their Title to ſuch Eſtates and Offices as they had in *England* at their Departure, after their *Homage* at *New-caſtle* upon *Tine*.

4 and 5. The *Fourth* and *Fifth* contain a Confirmation of the Franchiſes of the Church of *Scotland*, according to Antient Uſages; as alſo of the Laws of *Scotland*, and the Towns, Burghs and Sheriffdoms within that Kingdom, as they were uſed in the time of King *Alexander*.

6. That tho the Offices in *Scotland* ſhould be always adminiſt'red by People of the ſame Nation, yet that the King of *Scotland* of His Royalty may make ſuch Officers as He pleaſes, and of what Nation ſoever.

7 and 8. By the *Seventh* and *Eighth* it is agreed, That all thoſe who are compriſed within this Agreement of the Earl of *Aſcelle*'s, and have Lands in *Scotland*, ſhall again enjoy their Eſtates and Offices, as they had at their departure of the ſaid *Homage* at *New-caſtle*, except thoſe that ſhall be excepted by common aſſent; and further, if they ſhall be impleaded concerning their Lands and Tenements aforeſaid, they ſhall have liberty to make their Defences, and have Recoveries in ſuch Courts where they ought to have them.

The reſt being of things that concern'd Particular Perſons, and not much material to be known, I here omit; but the Concluſion is thus: This Accord and Articles of *Peace* were made at the *Town* of St. *John* in *Scotland*, the Eighteenth day of *Auguſt*, in the Year of Grace 1335, and Ninth of *Edward* the *Third*.

* *Knyghton* further adds to theſe *Articles* another, tho under the next Year; That the greateſt part of the *Scotiſh* Nobility being now tired out by the continual Harraſings and Devaſtations of the *Engliſh*, did voluntarily ſubmit to King *Edward*, upon Condition, That they would obey King *Baliol* during His Life; and in the mean while *David Bruce* and His Queen were to have a Royal Maintenance in *England*; but that

* Col. 2568. Another Condition added by *Knyghton.*

if

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if *Baliol* died without Iſſue (as He had none at preſent) that then *David* was to ſucceed Him; for whom they further engag'd, that He ſhould appear at the next *Parliament* to be holden at *London* the enſuing *Michaelmaſs*, there to ſtand to King *Edward*'s Award and Arbitrement concerning theſe things; and in the mean while the *Scotiſh* Noblemen, who had now ſubmitted, ſhould renew their *Homage* to King *Edward* as their Superior Lord.

* Comp. Hiſt. p. 198.

† M. 85.

The pretended Homage made by K. *David* to K. *Edward*.

But ſince I can find this Article in no other Author, and that King *David* never perform'd any part of it, I have great reaſon to believe it to be a Miſtake, thro ſome Miſinformation of this otherwiſe diligent Writer: Yet certainly it is a much greater Miſtake in * Dr. *Brady*, in reciting here, and alſo adding at large in his † Appendix a *Charter* of *Homage*, ſuppoſed about this time to be made to our King *Edward* by *David Bruce* for the whole Kingdom of *Scotland*, 'which He there acknowledges to hold, as well Himſelf as His Progenitors, of the Kings of *England* by *Leige-Homage* and *Fealty*; for which He avouches the *Fealties* made to them, appearing by Antient Records and Pleas of the *Crown*, as well in *Parliament* as in the *Iters*, or *Circuits* of the *Chamberlains* and *Juſtices* of His *Predeceſſors* and *Progenitors*. And it further recites, That theſe His Letters Patents, made with the Advice and Conſent of the Three Eſtates of the Kingdom in Parliament at *Edinburgh*, did acknowledge to hold the Kingdom of *Scotland* of *Edward* III. King of *England*, by *Liege-Homage* and *Fealty*, as of the Superior Lord of the *Kingdom* of *Scotland*, notwithſtanding all and all manner of Releaſes, Remiſſions, Quiet Claims, and other Letters whatſoever, made by any *King* or *Kings* of *England* to the contrary. This *Inſtrument* is ſuppoſed to be dated in full Parliament the firſt of *November*, in the fifth Year of His Reign; (that is, this very Year, as Dr. *Brady* places it); which could by no means be true, it being but the fourth Year of this *King*'s Reign, which began in *July*, 1329. It muſt not have been this Year, but in 1334, that this *Charter* was to have been made, if ever it were made at all; for all *Hiſtorians*, both *Engliſh* and *Scotiſh*, agree, that *King David* was ever ſince the Year 1332, or 33 at fartheſt, gone over into *France*, from whence He never return'd until above eight Years after the making of this ſuppos'd *Charter*; which having carefully view'd and conſidered, I do for this, as well as for divers other ſufficient Reaſons, conceive it to be counterfeit, and for which I refer the Reader to my *Introduction*, where I have ſpoken more at large concerning this great Queſtion of the *Homage* ſuppos'd to be done from the Crown of *Scotland* to that of *England*. But it is time to return to our *Hiſtory*.

This Charter proved to be forg'd.

[5.] Holingſ. Hiſt. Scot. p. 236.

The King having ſetled His Affairs in *Scotland*, returns into *England*.

[1.] Buch. L. 9.

[2.] *T. W. Ypod. Neuſ.*

King [5.] *Edward* having ſetled His Affairs in *Scotland* by the late Agreement with the Earl of *Athol*, and thoſe of his Party, and fortify'd St. *John's-Town*, new built the *Caſtle* of *Sterling* ſtronger than ever it was before; as alſo the City of *Edinburgh* it ſelf, which He deliver'd to the cuſtody of Sir *John Striveling*, who was afterwards made a Baron of *England*: I ſay, theſe things being diſpatch'd, [1.] and leaving ſufficient Forces under the command of the Earl of *Athol*, to ſupport and defend King *Baliol*, He return'd into *England* about the end of *Autumn*, [2.] carrying home with Him the valiant Lord *Richard Talbot*, who was now ranſom'd from his Impriſonment. After King *Edward*'s departure, the Earl of *Athol*, being reſolved to do ſomewhat to redeem his Credit with King *Edward*, and [3.] *Baliol* having provided a ſufficient Army of Horſe and Foot, with other Neceſſaries, preſently laid ſiege to the Caſtle of *Kildrumney* on the River *Done*, which ſtill held out for King *David*; but ſo ſoon as *Patrick* Earl of *Dunbar*, and the Lords *Murrey* and *Douglas* heard of it, they were reſolved to raiſe the Siege, and alſo puniſh his Perjury; but the Earl receiving timely notice of their coming, preſently marched forth to meet them; and then both Armies engaging in the Field of *Kilblaine*, there began a bloody Battel, in which when the Earl of *Athol* was like to gain the Victory, Sir *John Crabbe*, Governor of *Kildrumney-Caſtle*, ſallying out of it on the backs of the Earl's Party, with three hundred Men, added ſuch Courage to the almoſt conquer'd *Bruceans*, [4.] that they not only routed his whole Army, but ſlew the Earl of *Athol*, with divers other Noblemen of his Party; ſo that tho ſomefew eſcaped to the Caſtle of *Camoran*, yet theſe were forced to yield the next day for want of Proviſions. This Victory was obtain'd the Firſt of *Dec.*, and however of it ſelf it was not very conſiderable, yet it added freſh Courage to thoſe of King *David*'s Party, ſince they won it, notwithſtanding their Enemies were almoſt three for one, the Earl of *Athol* having three thouſand Men, and the other ſide but eleven hundred, beſides thoſe freſh Forces that came in to their relief.

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[3.] *Buchan.* Ib.

The Earl beſieging the Caſtle of *Kildramney*, is ſet upon by the Earl of *Dunbar*, and his Forces are utterly defeated, and himſelf ſlain.

[4.] *T. W. Ypud. Neuſt.*

I have nothing more to ſay concerning this Matter, but that the *Reader* may take notice, that this *David*, whom our Writers ſtile *David* of *Stratbolgi*, Earl of *Athol*, is called by *Boethius* and *Buchanan*, *David Cumin*, as being (I ſuppoſe) of that Family; but theſe *Authors* do not give him the Title of Earl, becauſe he held with *Baliol*.

The unexpected Death of the Earl of *Athol* was greatly [5.] reſented by the Kings of *England* and *Scotland*, and the Lord *Beaumont*, his Father-in-Law, in revenge, put all the *Scots* he could meet with to the Sword, that were of the Adverſe Party, and that had been in the Battel where he was kill'd. Then the King having held a Parliament at *London* in *Lent*, did after *Eaſter* ſend the Earls of *Lancaſter*, *Warwick* and *Arundel*, with other Noblemen before Him into *Scotland*, with ſufficient Forces, and ſome time after *Whitſontide*, He followed them in perſon, reſolving a ſevere Revenge for the death of the *Earl* of *Athol*. But I ſhall give you a particular Account of this Years *Expedition*, from our *Engliſh* as well as *Scotiſh* Hiſtorians, being thus:

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[5.] Hec. Boeth. L. 15. Chron. *Eveſh.* MS. Holin- p.902.

The Lord *Beaumont* in revenge of the death of the Earl of *Athol*, puts all the *Scots* he could meet with to the Sword, and then King *Edward* ſends the Earls of *Lancaſter* and others with ſufficient Forces into *Scotland*.

[6.] King *Edward* ſent to King *Baliol* to take along with Him the Lord *Henry Plantagenet*, who had been made Lieutenant-General of the *Engliſh* Army in *Scotland*, and the Earls of *Oxford*, *Warwick*, and *Arundel*, together with divers other Lords and Officers of both Nations; and with their Joynt Forces forthwith to enter the Field. Upon which, King *Baliol* and theſe Lords paſſed over the *Scotiſh Frith*, and went to St. *John's-Town*, where they waited King *Edward*'s farther Orders.

[6.] C. *A. M.* Id. ib

King *Baliol* takes divers *Engliſh* Lords to His aſſiſtance, end marches as far as St. *John's-Town*

In the mean while, [1.] about *Whitſuntide*, the King held a Parliament (or rather a Great Council) at *Northampton*, [2.] where He received advice, that the King of *France* had engaged to protect and aſſiſt the *Scots*; and to that purpoſe had ſent over ſeveral eminent Commanders, with conſiderable Supplies of Men, Money, and Ammunition. King *Edward* was not at all diſpleaſed with this News, becauſe it gave Him now a juſt Occaſion for turning His Arms againſt *France*; and He hoped alſo that ſo ſoon as the *French* and *Scots* were joined, they

[1] T. W. *ad hunc Ann.*

[2] H K. Col. 2568.

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[3] Id. *I. W.* He leaves the Lords in Council at *Northampton*, and poſts away into *Scotland*, to join K. *Baliol's* Forces,

[4.] Id ad An. 1335.

With which He marches to relieve *Sterling* Caſtle.

Buchan. l. 9.

they would not decline coming to a Battel. Therefore to puſh on the War in *Scotland* with all the Vigour He could, [3] He privately left the Lords and Prelates at *Northampton*, to their Parliamentary Debates, and with a ſmall but ſelect Company, poſts away *incognito* for *Scotland*, and never ſtopp'd until He came to *Berwick*: And there taking ſome Freſh Men for His Guard, He rode on to St. *John's-Town*, where He found King *Baliol* ready with the Forces of both Nations; who, with the Lords that were with Him, were highly encouraged by the King's unexpected Arrival: Nor was He leſs ſatisfied to find His Forces in ſuch a Readineſs and good Diſpoſition for Action. He came thither in a very good time, [4] for not long before His Arrival, *Patrick* Earl of *Dunbar*, Sir *William Douglas*, and Sir *William de Kethe*, the Chief Commanders for *David Bruce*, having received freſh Courage from the *French* Auxiliaries, had taken the Caſtles of *Bothwell*, and St. *Andrew's*, and were gone to beſiege that of *Sterling*. This Place was indeed vigorouſly aſſaulted, but notwithſtanding it was as bravely defended from within. But after the *Scots* had heard of King *Edward's* Approach, and had made one other briſk Aſſault againſt it, they thought it beſt to march off; as did alſo another Party of them that then lay before the Siege of the Caſtle of *Lochindoris*, wherein was the Lady *Catherine Beaumont*, Relict of the late Earl of *Athol*: But they likewiſe upon the News of the King's Approach, would ſtay no longer, but ſtrait raiſed the Siege.

[5.] Id. ib. He paſſes thro' *Athol* and *Murrey*, as far as *Elgin* and *Innerneſs*, the *Scots* not daring to encounter Him.

[6.] *H. K.* ib. *A. M.*

[1.] *H. K.* Col. 2570. K. *Philip* invades the *Engliſh* Territories in *Gaſcoigne*, and takes ſeveral Towns and Caſtles.

In [5] the mean while, King *Edward* paſſed with His Army by *Dunkelden* thro' *Athol* and *Murrey*, as far as *Elgin* and *Innernes*, where *Scotland* is bounded by the Sea, in perſuit of the Enemy, to ſee if by any means He could bring them to a Battel. Yet for all their Aſſiſtance from *France*, they durſt not look Him in the Face, [6.] but kept themſelves in the Mountains and other Faſtneſſes; only in the Night-time they would make ſome falſe Alarms, to try if they could frighten the *Engliſh*: But they knew them ſo well, and kept ſuch ſtrict Watch over them, that they eaſily prevented all their Attempts that way; which made the *Scots* ſo wiſe as to keep themſelves at a diſtance, and would not hazard the Small Forces they had left, againſt a Royal Army. But the King was now reſolved not only to keep the *French* at home, but to be revenged of them for the Injuries they had lately done. For beſides the Aſſiſtance K. *Phil.* had a little before given to the *Bruceans*, with hopes that they would be able to make a Diverſion in *Scotland*, He [1.] now grew mighty confident, and thinking thoſe Forces would be ſufficient to deal with *England*, He fell to invade King *Edward's* Territories in *Gaſcoigne*, ſurprizing and taking moſt of the Towns and Caſtles, and killing His Subjects there; tho' not without conſiderable Loſs on His ſide. For the Lord *Oliver Ingham*, then Seneſchal of that Country, a brave and experienc'd Commander, made a Vigorous Reſiſtance, conſidering the ſmall Forces he had with him. Yet the *French* Hiſtorians make no Great Matter of theſe things; and will own no more to have been done, either in this or the laſt Year, except the demoliſhing of the Caſtle of *Xainctes* by *Charles* Count of *Alanſon*, their King's Brother; but they confeſs, that the County of *Acques*, and divers other Towns and Caſtles, which had been taken by *Charles* of *Valois*, Father to King *Philip*, from *Edward* the *Second*, were ſtill detain'd. And beſides theſe Provocations,

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The *French* K. having ſent out 26 Galleys to cruize on the *Engliſh* Coaſt; King *Edward* iſſues out a Commiſſion as Lord of the Narrow Seas, to ſeize them.

Whilſt King *Edward* was in *Scotland*, the *French* King had ſent Six and Twenty Gallies well mann'd, to cruize about the *Engliſh* Coaſt, either to watch for ſome Advantage, or elſe with a Deſign to ſail for *Scotland*, to aſſiſt King *David*'s Party. King *Edward* hearing of it whilſt He remained at St. *John's-Town*, iſſued forth a Commiſſion to the Lord *Geoffrey de Say*, then newly made His Admiral of the *Southern* and *Weſtern* Seas; an Extract whereof, becauſe it ſerves to prove the King of *England*'s Antient Power and Juriſdiction over the *Brittiſh* Seas (the *Latin* Original being ſomewhat long) I ſhall here ſet down in *Engliſh*.

The Effect of this Commiſſion.

*Selden's Mare Clauſum, l. 3. cap. 23. p. 246, 247.

‘The * King firſt recites His former Orders to the ſaid *Geoffrey de Say, viz.* That taking with him certain Ships belonging to the *Cinque-Ports*, which had been equipped for that purpoſe, he ſhould forthwith ſet out to Sea, to reſiſt and oppoſe thoſe Foreign Gallies that were then in the Narrow Seas, to moleſt and grieve the King and His Subjects. And that He being further inform'd, that there were indeed ſuch Gallies to the Number of Six and Twenty, newly ſet out from the Coaſts of *Bretaigne* or *Normandy*, for the Deſign aforeſaid; and calling to mind, *That His Progenitors, the Kings of* England, *had before theſe times been Lords of the* Engliſh *Seas on every ſide; yea, the Defenders thereof againſt the Encroachments of Enemies*: He therefore now reinforces His former Orders, and that immediately upon ſight of theſe Preſents, the ſaid Admiral ſhould ſet forth to Sea, with the Ships of the Ports aforeſaid, and ſuch other Ships as were then ready; and with them to look after, and take the ſaid Gallies, if they ſhould preſume to bend their Courſe for the End aforeſaid, either towards *England*, or the Coaſt of *Scotland*; or if they ſhould ſteal away, to perſue after and utterly deſtroy them. After which, there follows in the ſame Commiſſion a Power from the King to preſs Seamen, with ſome other Matters of that kind, needleſs to be here recited. The like Commiſſion was iſſued forth to the Lord *John de Norwich*, Admiral of the *Northern* Parts; both bearing the ſame Date. Witneſs the King at St. *John's-Town*, the Sixteenth Day of *Auguſt*, *Per ipſum Regem & Concilium.*

* L. 2. c. 23. p. 247, 248.

* Rot Scotiæ, 10 *Ed* 3. m. 16.

This Commiſſion Mr. *Selden* hath tranſcribed in his * *Mare Clauſum*, to prove the Antiquity of the Dominion of the Kings of *England* over the *Brittiſh* Seas; where the Reader may find it truly Copy'd from the * Rolls in the *Tower*.

[2.] *T. W. An.* 1334.

The K marches thro' *Scotland*, ſpoiling and burning the Country and Town of *Aberdeen*.

Buchan. l. 9.

The E of *Cornwall* and Ld. *Lucy* come with a conſiderable Force to the Aſſiſtance of K. *Baliol*.

King *Edward* did not do much more the reſt of this Year in *Scotland*, [2.] only the People there not being able to make any great Head againſt Him, He marched from one Province to another, ſpoiling and deſtroying thoſe Countries that held out for the other Prince: And in His Return He burnt the Town of *Aberdeen*, (becauſe the men there had treacherouſly killed an *Engliſh* Knight, called Sir *Thomas Roſſelyn*;) and likewiſe divers other Places; deſtroying the Country where ever He came that made any Oppoſition to Him. And then King *Edward* finding there was nothing more for Him to do in *Scotland*, left King *Baliol* to reduce the Remainder of the *Scots*. And ſometime in *Auguſt* after, the Earl of *Cornwall* the King's Brother, and the Lord *Lucy*, together with a conſiderable Force raiſed out of the *Northern* Countries, came to His Aſſiſtance, and in their way deſtroyed the County of *Carrick*, and other *Weſtern* Parts that did not acknowledge King *Baliol*.

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[3.] Id ib.
[4] *H. K.* Col. 2568.
* Rot. Clauſ. 10 *Ed* 3. m. 16.

The K. returns into *England* and holds a Parliament at *Nottingham*, where He has a Tax given towards His Wars.

Then [3.] the King having repair'd and new fortified the Caſtles of *Sterling* and *Bothwell*, about the middle of *September* returned into *England* to His Parliament at * *Nottingham*, the *Monday* after St. *Matthew's* Day, or Twenty Fifth of *September*; where He had granted Him towards the Maintenance of His Wars in *Scotland* and *Gaſcoigne*, a Twentieth Part from the Nobility and Knights of Shires, a Fifteenth from the Citizens and Burgeſſes, and a Sixth from the Clergy; beſides the Merchants of *England* were to pay Forty Shillings a Sack for all Wooll Tranſported, and Foreigners Three Pounds Sterling.

K. *Edw.* ſends Ambaſſadors into *France*, to demand the Towns and Caſtles detain'd by that King.

In Relation to Foreign Affairs, I find nothing elſe to have happened further this Year, only that the King by the Advice of the Prelates, Earls, and Barons, at the late Council at *Northampton*, ſent the Archbiſhop of *Canterbury* and Biſhop of *Durham*, with the Lords *Scrope* and *Montacute*, Ambaſſadors to the King of *France*; to demand the Towns and Caſtles by Him unjuſtly detain'd; As alſo that He ſhould engage not to aſſiſt the King's Enemies the *Scots*: Which things if King *Philip* would agree to, *Edward* promiſed to accompany Him to the *Holy-Land.*

T. W. Yp. Neuſt.
[1.] Gaguin. Hiſt. *de France*, in *Fol.* p. 133.
Fab. Chron. *ad hunc An.*

The K. of *France* is at firſt like to make Peace, but being perſuaded to the contrary, refuſes to agree, unleſs the *Scots* be included therein.

When theſe [1.] Ambaſſadors arrived in *France*, they were (tho' with ſome difficulty) admitted into the King's Preſence: And having made theſe Propoſals to Him, His Majeſty ſeemed ſo zealous for His Voyage to the *Holy-Land*, that He at firſt agreed to all their Demands, and the Peace proceeded ſo far, as to order it to be proclaim'd the next day in *Paris*. But the Ambaſſadors were ſcarce got to their Lodgings, when *Philip* (either by the Inſtigation of the King of *Scots*, or of ſome of His own Courtiers, Enemies to *England*) ſent for them back to Court, where He told them, That upon better Conſideration, *He found it not conſiſtent with His Honour or Safety, unleſs the King of* Scots *might be alſo included in this Peace.* To which Demand the Ambaſſadors anſwered, That having had no Inſtruction from their Royal Maſter concerning any ſuch thing, they could ſay nothing to it. Whereupon they were ordered to depart; and ſo returning home, to give the K. an Account of what they had done. Upon which, the Difference between theſe two Princes became wider than it was before. This is the Account, that not only our own, but the *French* Hiſtorians give of this Tranſaction: Whereby it plainly appears, That it was not King *Edward*, but the *French* King, who by His Levity in again inſiſting upon what He had already given up, not only hinder'd the intended Expedition againſt the Infidels, but gave King *Edward* a juſt Occaſion of beginning a War, which laſted ſo many Years, almoſt to the Ruin of the Kingdom of *France*.

That the fault of this Breach lay at the K. of *France's* door.

The K. reſolves to regain His Right in *France* by force.
[2.] *Froiſſ.* ib. c 28.

He communicates His Reſolutions to His Council who adviſe Him to conſult His Father-in-law & Uncle.

When the King ſaw there was no more hopes of prevailing with *Philip* by fair means, He reſolved to regain His Right by Force, and was particularly adviſed by the Lord *Robert* of *Artois*, (now made one of His moſt Secret Councellors) to be revenged of Him for uſurping and detaining from Him that Crown, The King was well enough pleaſed with this Advice, and having communicated it to His Privy Council, and they approving of it, prayed Him firſt to conſult His Father-in-Law, *William* Earl of *Haynault*, and His Uncle *John*, commonly called the Lord *de Beaumont*, who had done the *King* great Service, in conducting His Mother and Himſelf into *England*. In perſuance of this Advice, He at the Beginning of this Summer, ſent

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ſent [3.] *Henry Burgherſh* Biſhop of *Lincoln*, a Prelate of great Knowledge and Experience in State-Affairs, together with two Bannerets, and two Doctors of Law, to acquaint them with His Intentions, and to ſatisfy them of the Juſtice of His Claim to the Crown of *France*. They not only approved of His Deſign, but further adviſed Him to make New Alliances with ſome other Neighbouring Princes and Great Men, whoſe Countenance and Aſſiſtance might be thought neceſſary for the carrying on this preſent Undertaking.

[3.] Id. ib.
The K. ſends Ambaſſadors to them, who approve of His Deſign, & adviſe Him to make Allyances.

Wherefore after the Return of the Biſhop and his Collegues, [4.] the King by Special Commiſſion, dated the Sixteenth of *December*, impower'd *William* Earl of *Haynault* (ſtiled alſo therein, Earl of *Holland* and *Zealand*, &c.) to treat and agree with ſuch Noblemen, Perſons of Note, and Others, as he ſhould think fit, about Allyances, and ſuch Retainers as they ſhould bring in. The like [5.] Commiſſions with the like Powers, and of the ſame Date, were ſent to *William* Earl of *Juliers*, the King's Brother in law, (as having married *Joanna*, Siſter to Queen *Phillippe*) and to Sir *John Montgomery*, Knt. and Mr. *John Walwyn*, Chanon of *Darlington*.

[4] Rot. Pat. 10 *Ed.* 3. p. 1 m. 6.
The K. iſſues Commiſſions to the Earls of *Haynault* & *Juliers*, to contract with ſeveral Noblem. and others for his Service.
[5] Ibid.

And here, to keep entire the Thrid of my Diſcourſe, I ſhall put together whatſoever was tranſacted of this nature, (tho' it fell not out till the Beginning of the next Year, *viz.* in *April* following.) [1.] The aboveſaid Biſhop, *William* E. of *Saliſbury*, and *William* E. of *Huntingdon*, were, by Virtue of a like Commiſſion, (dated the Nineteenth of that Month) ſent into *Flanders*; and likewiſe in other Countries, [2.] they contracted with ſeveral Noblemen and Gentlemen, in *Haynault*, *Guelderland*, and *Juliers*, to aſſiſt the King againſt *France*; and alſo agreed upon what Number of Forces each of them ſhould raiſe for this intended Expedition, and the Pay they were to receive for their Service. And within a ſhort time after, [3.] *Reginald* Earl of *Gueldres*, (who had marryed the King's Siſter) and *William* Marquiſs of *Juliers*, came into this Allyance; as did likewiſe *Rupert* Duke of *Bavaria*, and *Count Palatine* of the *Rhine*.

[1.] Rot. Pat. 11 *Ed.* 3. Part 1. m. 11.
Other Ambaſ. likewiſe empower'd to contract with the Noblemen of divers Countries.
[2.] Rot. Alm. 11 *Ed.* 3. m. 9, 10, 11.
[3] Ibid.
The Earl of *Gueldres* & the Marquiſs of *Juliers*, as alſo the D. of *Bavaria* enter into this Allyance.

The King having thus ſtrengthened Himſelf with Foreign Allyances, immediately reſolved to fall upon *France*; [4.] and therefore recalled His Ambaſſadors from thence. And He was the rather induced to this, becauſe He underſtood, that while they were Treating of Peace, King *Philip* had ſet out a well-appointed Fleet to aſſiſt the *Scots*, under the Command of *David Bruce* their Exiled King, who had therewith done a great deal of Damage to the *Engliſh* Merchants about the Iſle of *Wight*, and had ſlain ſeveral of the Inhabitants of *Guernſey* and *Jerſey*. To put a Stop to this, K. *Edward* being now at *Bothwell* in *Scotland*, proſecuting the War, He immediately iſſued out a [5.] Commiſſion, dated the Eleventh of *December*, directed to the Archbiſhop of *Canterbury*, the Lord *Henry Plantagenet*, Son to the Duke of *Lancaſter*, and other Noblemen, commanding them to meet at *London* on *Wedneſday* after *New-Year*'s-day next enſuing, to conſult about Matters relating to the Defence of the Kingdom, and the repelling the Enemies thereof; and to do all things for His Honour and the Common Safety, as if He Himſelf were perſonally preſent.

[4.] *T. W.*
The *French* K. ſets out a Fleet to aſſiſt the *Scots*.
[5.] Rot. Scot. 10 *Ed.* 3. m 3.
K *Edw.* iſſues out a Commiſſion to divers Noblemen.

King *Philip* being now [1.] acquainted with King *Edward*'s Deſigns, began to abate of His Zeal for the *Holy-War*, perceiving He was to meet with one at home; and therefore countermanded His Officers from

[1.] *Froiſſ.* ib. cap. 28.
K. *Philip* lays aſide all thoughts of the Holy War.

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[2.] *Odoric. Raynold.* contin. Baron. *ad Ann.* 1336. The *Pope* ſends Letters to the Kings of *France* and *England*, exhorting 'em to Peace.

from making any further Preparations for it till they had freſh Orders from Him. Then [2.] Pope *Benedict* finding the Quarrel grown to ſuch a heighth between theſe two Crowns, ſent His Letters directed to Them both, by His *Nuncio Philip de Camberlake*, in way of Mediation, to perſwade Them to an Agreement; but eſpecially to pacifie King *Edward*, whom He exhorted to diſmiſs *Robert D' Artois*, as one that was continually exciting Him to War: He alſo wrote to Queen *Philippe*, and to the ABp of *Canterbury*, perſwading them to uſe their utmoſt Endeavours to bring the King to ſome Reaſonable Terms with *France*, but it was now too late; for He was ſo exaſperated by the Obſtinacy of His Adverſary, that nothing could prevent that Bloody War between the two Kingdoms, which ſhortly broke out, and continued for ſo many Years, to the great impoveriſhment and weakening of both, and particularly *France*.

[3.] T. W. *ad Ann.* 1334. *falſo; Sed in* MS. Bod. 1336. *quod rectum eſt*. The Deceaſe of the Earl of *Cornwal* the King's Brother.

But before we put an end to it, I cannot forbear taking notice, [3.] that not long after the King's departure from *Scotland*, *John* of *Eltham*, *Earl* of *Cornwal*, His only Brother, deceaſed the Fourteenth of *September*, or elſe about the beginning of *October* (as *Walſingham* relates) tho he is very much out in the Year, in placing it under 1334; but this much is certain, that having over heated himſelf in the late *Expedition* againſt the *Scots*, he fell into a Feaver, that ended in a Flux, of which he died at St. *John's-Town* in the twentieth Year of his Age, without being married; his Death was highly lamented by the King his Brother, and all the Nobility, being a Prince of great Hopes and Courage, and was twice left Guardian or Lieutenant of all *England*, during the King's Abſence in *France* and *Scotland*.

[4.] L. 15. f. 329. The great malice of *Hector Boeth.* to the Memory of this Prince, and falſhood in the Relation and manner of his Death.

I cannot but here obſerve the great Malice of [4.] *Hector Boethius* to the Memory of this Young Prince, relating the manner of his Death quite otherwiſe; as that he having done many abominable Cruelties in *Scotland*, without any regard to *Holy Places*, after all came to St. *John's-Town*, where the King his Brother then was in the Church at His *Devotions*, near the *Altar*, and that upon ſight of him, the King, who had heard of all his Barbarous and Prophane Cruelties, queſtioned him about thoſe Matters, but receiving from him a harſh and undutiful Anſwer, was ſo far provoked, that immediately drawing His Sword, He there ſlew Him with His Own Hands, ſaying theſe Words, *That the Altar ought not to be a Refuge for One who had by Fire and Sword violated both Church and Altars.* But indeed this Story is ſo groſs, that it needs no Confutation; and *Buchanan* is more modeſt than to relate it, tho he often follows this Author in Matters altogether as falſe, when they tend to the leſſening the Honour of the *Engliſh* Nation, and the advancing his own.

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[5.] Chron. *Francois* MS. Civit. London.

[5.] Nothing elſe happened worth our noting, only, that in the beginning of *March* was a great *Eclipſe* of the Sun, that darkened above half his Body.

[1.] C. *A. M.* The King returns out of the *North* to be preſent at His Brother's Funeral.

Immediately after the Feaſt of *Epiphany*, the King with the Archbiſhop of *York* returned out of the *North*, to [1.] be preſent at the Funeral Obſequies of His Brother Earl *John*, who was buried in the Abbey of *Weſtminſter*, in the Chappel of St. *Edmund*, where a handſome Monument erected to his Memory is ſtill to be ſeen, on which lies his Statue in Alablaſter, with an *Earl's* Coronet adorned with ſmall

Flowers about his Helmet; being the firſt I have obſerved of that nd.

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The firſt Action I find to have been perform'd in *Scotland* this Year, was the laying cloſe Siege to the Caſtle of *Dunbar* by the Earls of *Saliſbury* and *Arundel*, on the ſeven and twentieth of *January*, which was vigorouſly defended by the Counteſs *Agnes*, Wife to the *Earl* of *Marche*, and a Woman of a Maſculine Spirit, who made ſo brave a Defence, that tho King *Baliol* ſent two ſeveral Parties to the aſſiſtance of the Beſiegers, yet when they had almoſt brought it to Surrender, it was relieved with Men and Proviſions by Sir *Andrew Ramſey*, who with one Veſſel paſſed by Night through the *Engliſh* Fleet, ſo that after a long Siege of about twenty Weeks, the *Engliſh* Forces being out of hopes to take it, the Lords abovemention'd not only agreed to raiſe the Siege, but the *Scots* alſo then obtained a Truce for about Six Months, which was very much reſented in *England*; but the King at that time needed the aſſiſtance of His Subjects for the War He was then about to make upon *France*, and the *Engliſh* Lords in *Scotland* were more eager to go with Him than to carry on the War in that Kingdom: But theſe things did not happen till the Summer following.

[2.] Buchan. *A. D.* 1337. The Caſtle of *Dunbar* is beſieged by the Earls of *Saliſbury* and *Arundel*, and is vigorouſly defended by the Counteſs of *Marche*. And being relieved, the Siege is raiſed and the *Scots* obtain a Six Months Truce.

About [3.] the middle of *March* the King held a Parliament at *Weſtminſter*, wherein it was ordained, That no Wool of *Engliſh* growth ſhould be tranſported beyond the Seas, and that all Cloath-workers ſhould be received from whatever Foreign Parts they would come, and fit Places ſhould be aſſigned them, with divers Liberties and Priviledges; and that they ſhould have a certain Allowance from the King, till they might be fixed in a way of living by their Trade.

It was alſo ordained, [4.] That none ſhould wear any Cloaths wrought beyond Sea, or to be imported hereafter, except the King, Queen, and their Children; alſo, That none ſhould wear Foreign Furs or Silks, unleſs he were worth one hundred pounds of yearly Rents; by theſe and the like Good Laws, (tho for the preſent they did not take any conſiderable effect, by reaſon of the enſuing War with *France*) King *Edward* by degrees revived the Woollen Manufacture, after it had been loſt for many Years to this Nation; from whoſe time it hath ſtill increaſed to the general advantage of the whole Kingdom.

[3] C. *A. M.* Ib. T. W. *Ypod. Neuſt.* The King holds a *Parliament* at *Weſtminſter*, where it is ordained, that no Wool ſhall be tranſported beyond Sea, and that none ſhould wear any Foreign Cloaths.

[4] C. *A. M.*

Alſo in this Parliament [5.] the King created His eldeſt Son Prince *Edward*, Duke of *Cornwal*, he being the firſt that ever wore that Title of Duke in *England*; the King alſo then created ſix *Earls*, to wit, *Henry Lancaſter Earl* of *Darby*, *William Montacute* of *Saliſbury*, *Hugh de Audley* of *Gloceſter*, *William Clinton* of *Huntington*, *William Bohun* of *Northampton*, and *Robert Ufford* of *Suffolk*; at which Solemnity the King made a Magnificent *Entertainment*: This Great Advancement of the Prince and Nobility was certainly in this Year, according to our Account, beginning the Year on *Chriſtmaſs-day*, but it is very much miſplaced by *Walſingham*, who puts it under *Anno Dom.* 1335, two Years before it happened, for *John* Earl of *Cornwal* did not die till the laſt Year.

[5.] Id. ib. T. W. The King creates Prince *Edwad* His eldeſt Son Earl of *Cornwal*, and makes ſix new Earls.

But to proceed to ſomewhat more material: Let us ſee what was done in the mean time in *Scotland*, where *Patrick* Earl of *Dunbar*, and the Lords *Douglas* and *Murrey* being encouraged by the abſence of King *Edward*, took the Caſtles of *Bothwell* and St. *Andrew's* by force, and were like to have taken that of *Edinburgh* by ſurprize, and then laid cloſe

The Earl of *Dunbar* takes ſeveral Caſtles in *Scotland*.

ſiege

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ſiege to *Sterling* Caſtle; but when the King heard of it, He reſolved to raiſe the Siege, and having recruited the Gariſon with freſh Men, and taken out the Sick and Wounded, He returned into *England*.

[1.] *John Tinmouth.* Hiſt. *Aur.*

* Rot. *Alman.* 11 *Ed.* 3. m. 11.

The K. ſends the Bp of *Lincoln* and divers other Noblemen *Ambaſſaders* to treat with the *German* Princes.

† Cap. 28.

The firſt thing we find the King to have perform'd after His return home, [1.] was, to ſtrengthen Himſelf with Alliances abroad; to which end, on the Nineteenth of *April*, He granted a * Commiſſion to *Henry* Bp of *Lincoln*, *William* Earl of *Salisbury*, and *William* Earl of *Huntington*, who were thereby appointed His Ambaſſadors to treat with ſeveral Princes and Lords of the Upper and Lower *Germany*; and it further appears from † *Froiſſart*, that the ſaid Bp having ſome Noblemen with him, had about the ſame time been ſent to the Duke of *Brabant*, and engaged him to declare for King *Edward*, tho it were to defie the *French* King Himſelf.

* M. 9, 10, 11.

The *Engliſh Ambaſſadors* conclude a Confederacy between the King and ſeveral *Princes* of *Germany* and the *Low-Countries* againſt *France*.

And it further appears from the above cited * Record, that by the Fourteenth of *May* next enſuing, the *Engliſh* Ambaſſadors had play'd their Buſineſs ſo well, that they contracted with ſeveral Princes, Noblemen, and Others in *Hainault*, *Guelderland* and *Juliers* to aſſiſt the King againſt *France*.

* Rot. *Aleman.* 11 *Ed.* 3. m. 10.

* Ib. m. 8.

* Ibm.

And it alſo appears from the ſame Record, that in a very ſhort time after, * *Reginald* Earl of *Gueldres* and *Zutphen*, (who married *Eleanora* the King's Siſter) and *William* Marqueſs of *Gulick* or *Juliers*, came into this Alliance, as did alſo *Rupert* Count Palatine of the *Rhine*, and Duke of *Bavaria*, the *Emperor*'s Brother, and many other Princes; by virtue of which League they obliged themſelves and their Heirs to aſſiſt each Other with all their Power to recover their Inheritances and Poſſeſſions withheld from them by *Philip* of *Valois*; * ſo that by the thirteenth of *July*, *John* Duke of *Lorain*, *Brabant* and *Lemburgh* was retain'd for King *Edward*, with many petty Earls and Lords of *Germany*; and about the ſame time there was * alſo concluded between the Emperor *Lewis*, Himſelf and the King of *England*, and their Heirs, a firm Union and Confederacy againſt *Philip* of *Valois*, (who ſtiles Himſelf King of *France*) for the Recovery and Defence of their Honours and Poſſeſſions: The like Confederacy was alſo made about the ſame time with *Lewis*, eldeſt Son to the *Emperor*, by the Title of Marquiſs of *Brandenburgh*, Count Palatine of the *Rhine*, and Duke of *Bavaria*, &c. which was made by the Aſſent of the *Emperor* his Father.

* Rot. *Scot.* 11 *Ed.* 3. m. 1. 6 & 11.

[3.] It further likewiſe appears by the * *Scotiſh* Rolls of this Year, that ſeveral Confederacies are entred there, where in ſome of them the Wages were expreſſed, allowed by the King to His Retainers, for every Man at Arms they brought into His Service, by the Month, *viz.* fifteen *Florens* of *Florence*, which was five and forty Shillings Sterling, and was better than eighteen Pence a Day at this time.

The Confederacies made by the King of *France* againſt *England*.

[2.] *Du Cheſn.* Hiſt. Fran. f. 646.

Nor was the King of *France* behind hand with King *Edward* in bringing in what Princes of *Germany* He could to be of His Party; and accordingly on the *French* ſide were engaged *John* King of *Bohemia*, and *Earl* of *Luxemburgh*, *Henry* Count Palatine of the *Rhine*, *Aubert* Bp of *Metz*, and the Bp of *Leige*, *Otho* Duke of *Auſtria*, *Theodore* Marquiſs of *Monſerrat*, *Amè* Earl of *Geneva*, *Geoffrey* Earl of *Linanges*, *Waleran* Earl of *Deux-Ponts*, *Henry* Earl of *Vaudemont*, *John* Earl of *Sarbruck*, *Imbert* Baſtard of *Savoy*, and many other Captains and Lords of *Almain*, *Spain*, *Franche*-County, *Dauphinè*, *Savoy*, and other Countries beſides the *Scots* and Duke of *Lorain*, I mean, he that was really ſo; but as for the

Duke of *Brabant*, beforementioned, he only made uſe of that Title.

Thus was almoſt all *Europe* divided either by Intereſt or Inclination to take part with one of theſe mighty Monarchs.

Nor did King *Edward*'s Agents prevail upon the *German* Princes alone, but [3.] by the Perſwaſions and Promiſes of one Sir *Edward Brett*, a Gentleman of an obliging Carriage, moſt of the Leading Men of the chief Cities and Towns in *Flanders* were brought over to the *Engliſh* Intereſt, eſpecially when it alſo made for their own; they being now promiſed, that the Trade of *Engliſh* Wools, of which they had been depriv'd for three Years paſt, ſhould be again reſtored to them; and they thereupon engaged to take part with King *Edward*, whenever there ſhould be occaſion: And [4.] tho *Lewis*, then *Earl* of *Flanders*, who was wholly of the *French* King's ſide, did what he could to oppoſe K. *Edward*'s Deſigns, yet it was all in vain; for having raſhly, and without due Form of Law put to death a Nobleman of *Flanders*, called Sir *Simon de Courtrey*, for too boldly aſſerting in Council, That the Friendſhip of *England* was to be preferr'd before that of *France*; this Injuſtice cauſed ſuch a Commotion among the People, that ſoon after taking up Arms, they not only routed his Forces in the Field, but forced him to take refuge in one of his Caſtles, to fortifie it againſt them.

[3.] *Froiſſ.* ib. c. 29. Fabian p. 204.

The leading men of the Cities and chief Towns in *Flanders* are brought over to K. *Edward*'s Intereſt, notwithſtanding the Endeavours of *Lewis* Earl of *Flanders* to the contrary.

[4] *Froiſſ.* ib.

[5.] Immediately upon this Sir *Edward Brett* abovementioned, alſo gained the Good Will of the Citizens of *Gaunt* to be for King *Edward* whenever there was occaſion, which he performed by the means of one *Jacob Van Artefeld*, a Brewer of that City, who by his Riches, Boldneſs and Fluency of Tongue, had now, upon the flight of their *Earl*, got the Chief Authority with the Citizens, and by his means it was granted by the major part of them, that King *Edward* ſhould have free leave to come and reſide at that City when ever He pleas'd; which Advantage the King laid hold on the Year following, as you will find hereafter.

[5.] Id. ib.

[The Citizens of *Gaunt* are gain'd for K. *Edward* by the means of *Jacob Van Artefeild* a Brewer, who obtains leave for K. *Edward* to come thither when He pleas'd.

But we muſt now return to the Affairs of *England*: King *Edward*, finding that all His Offers to the King of *France* were utterly in vain, was reſolved to prepare for War; in order to which He ſummon'd a *Parliament* at *Weſtminſter*, (and not at *Nottingham*, as *Walſingham* relates); but of this more anon.

The King in order to a War with *France*, ſummons a *Parliament*, where He has a Tax granted Him.

But we ſhall now intermix ſome other Foreign Tranſactions which were done not long before. King *Edward* having brought over ſo conſiderable a Party of the *Flemings* to His Intereſt, reſolved to act more openly againſt the *French* King, and to this end ſent the * ABp of *Canterbury*, with the Bps of *Durham* and *Lincoln*, and the Earls of *Salisbury*, *Northampton*, *Hereford* and *Suffolk*, with *John* Lord *Darcy*, Steward of His Majeſty's Houſhold, and Sir *Geoffrey Scrope*, Chief Juſtice of *England*, Ambaſſadors to King *Philip*, not to demand reſtitution of a few *Caſtles* or *Towns* unjuſtly taken or detained, but to declare King *Edward*'s Right to the *Crown* of *France* it ſelf, as alſo by the bye to propoſe ſome *Conditions* for a *Treaty* with *David Bruce*, the Exild King of *Scotland*, then in *France*; but if the *French* King ſhould prove untractable and averſe to Reaſon, they were then to go to the *Court* of Prince *Rupert*, *Count Palatine* of the *Rhine*, the Emperor's Brother, to engage Him alſo, on the behalf of *England*, againſt King *Philip*: [1.] Theſe Ambaſſadors being arrived at *Bologne*, received advice, that King *Edward*'s mind was alter'd; which made them conceive that

The K. ſends the *ABp* of *Canterbury* with other *Bps* and *Noblemen* to the K. of *France* to ſet forth King *Edward*'s Right to that Crown.

* Ib. m. 17.

[1.] *T. W. ad An.* 1335. *ſed falſo.*

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But upon a Change of the Circumſtance of Affairs, the Ambaſſadors quit their Deſign for *France*, and go to *Haynault* to renew the League with the young Earl and other *German* Princes.

* Rot. Alman. 11 *Ed.* 3. m. 5.

their Journey to the *French* Court might be hazardous, and expoſe them to the Fury of an angry Prince, who in His Paſſion might make no difference between Juſt and Unjuſt; and had before threat'ned other Ambaſſadors with Death, who were ſent to ſet forth their Maſter's Right to that Crown, if evey they offer'd to come again on that Errand: Wherefore the Ambaſſadors quitting their Deſign of going to *Paris*, directed their Courſe for *Haynault*, where they renewed the League with *William* the young Earl, (whoſe Father, of the ſame Name, had deceaſed not long before) as alſo with the Earl of *Gueldres* and Marquiſs of *Juliers*. And from thence proceeding to *Cologne*, made * a like Agreement with *Rupert* Duke of *Bavaria*; he undertaking to ſerve King *Edw.* againſt all Men living (the Emperor his Brother only excepted) with an Hundred and Fifty Men at Arms. The whole Number to be raiſed by theſe Princes, amounting to above a Thouſand Horſe of that ſort: In lieu whereof the *Engliſh* Commiſſioners engaged, before their Return for *England*, to pay unto him at *Dort*, Two Thouſand Seven Hundred *Florens* of *Florence*, or their equivalent Value in Sterling-Money: And moreover, upon the Feaſt of St. *Michael* next enſuing, the Sum of Fifteen Thouſand *Florens* of Gold, *viz.* for every Soldier Fifteen *Florens*, for the two firſt Months Service; which was as much as One Shilling and Six Pence *per diem*; great Wages in thoſe days.

* *Ad An.* 1335.

[2.] Id. ib. *H. K. ad hunc Ann.*

And, I ſuppoſe, it is to this Tranſaction that * *Walſingham* refers, (tho' he has ante-dated it near two Years) when he relates, that the Biſhop of *Lincoln*, with the Earls of *Salisbury* and *Huntingdon*, (inſtead of *Hereford*) were, by the Advice of the Great Council held at *Stamford*, to have been ſent to the King of *France*: But when they came to *Bologne*, underſtanding their Journey might prove hazardous, went no further than that Place; and then changed their Courſe towards *Haynault*, in order to treat with that Earl, as alſo with the Emperor *Louis* of *Bavaria*, the Earl of *Gueldres*, and other Lords, with whom they then made an Allyance on the King's Behalf.

Theſe Ambaſſadors in their Return take two *Flemiſh* Men of War, in which were the Bp. of *Glaſco* and ſeveral *Scotiſh* Perſons of Quality, whom they took Priſoners.

[3] *Froiſſ.* ib. cap. 30.

[3.] Theſe Ambaſſadors having thus diſpatched the King's Affairs to His Satisfaction, ſail'd for *England*, and by the way took two *Flemiſh* Men of War, with an Hundred and Fifty *Scots* on board 'em; among whom were the Biſhop of *Glaſco*, and divers Noblemen and Ladies needleſs here to be named. Beſides theſe, there were ſent by the *French* King, to aid the *Scots* of King *Bruce*'s Party, a great many Arms, Horſes, and ready Money to the Value of Fifteen Thouſand Pounds; all which were now taken by the *Engliſh* Admiral, the Soldiers being moſt ſlain, and all the reſt made Priſoners; and the Biſhop being wounded (tho ſlightly) in the Head, was brought into *Sandwich*, where of that and Grief together he died ſoon after. *Walſingham* places the Ambaſſy, as alſo the following Action under the Year 1335, which is a Miſtake; and therefore I have followed *Knyghton* and other Writers, who more truly place both of them under this Year.

* *Note*, my Author calls it *Cagant*, but corruptly.

The *Ambaſſad.* upon their return complain to the K. of the Gariſon of *Cadſant*, ſetting out Ships to take them; whereupon the K. ſends Forces againſt it.

Theſe [3.] Ambaſſadors at their Return out of *Flanders*, complain'd to the King of certain *Flemiſh* Officers and Soldiers, who keeping a Gariſon in the Iſle of * *Catſand*, (lying between the Ports of *Sluice* and *Fluſhing*) had from thence ſent out certain Veſſels to Sea, with a Deſign to have taken them in their Return home. To revenge which, King *Edward* ſent the Earl of *Derby*, the Lord *Walter Manny*, the Lord

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Lord *Reginald Cobham*, and divers other Knights and Eſquires, with Five Hundred Men at Arms, and about Two Thouſand Archers, who all went on board near *London*; and arriving before the ſaid Iſle, they landed under the Shot of their Archers, in ſpite of the *Flemings*, who were above Five Thouſand Men, drawn up upon the Shore, commanded by *Guy* the Earl's Baſe Brother, called the Baſtard of *Flanders*, a bold and expert Leader. As ſoon as the *Engliſh* got on Shore, they fell furiouſly upon the *Flemings*; who tho' they made a brave and vigorous Defence, yet thro' the great Courage of the Earl of *Derby* and the Lord *Manny*, they were all either kill'd or taken Priſoners (of whom divers were Knights of great Note and Quality) and the Town taken, plunder'd, and burnt. In which Action there was great Cruelty exerciſed: For about Three Thouſand of the Inhabitants being fled for ſafety into a Church, were by the enraged *Welſhmen* burnt, together with the Place it ſelf. This was the firſt Stroke that was given in this Unhappy War, and which was not begun without great Provocation from the *French* and *Flemings*, as hath been already related. [4] The Action being over, the *Engliſh* Commanders returned home, bringing away a great deal of Plunder and many Priſoners; the Chief of whom, was the Baſtard of *Flanders* above-mentioned: Who was ſo kindly received by King *Edward*, that being won by His Generoſity, he not long after came over to His Party. This Succeſs did ſo animate *Jacob Van Arteſeld* and thoſe of his Party, that they thereupon ſent a Meſſage to King *Edward*, offering Him their Service, and deſiring Him to come over, for that the *Gauntois* were impatient until they ſaw Him.

[4] *Froiſſ.* ib. c. 31.

The Baſtard of *Flanders* being there taken Priſoner, is kindly treated by K. *Edward*.

But before He could go thither, it was neceſſary for Him to hold a Parliament at *London*, and to raiſe Money to carry on the intended War; and alſo to conſult about His going over, and the Reception of the Legates who were ſhortly expected to come from the Pope. The Great Council or * Parliament being met according to Summons the *Friday* before *Michaelmaſs*, the King had a *Tenth* granted unto Him by the *Community* of the Kingdom, and a *Fifteenth* by the Citizens and Burgeſſes. [5] The Archbiſhop of *Canterbury* held a Convocation of the Clergy at the ſame time, which alſo gave the King a *Tenth* of their Temporalties, for Three Years, towards His War with *France*.

* Rot Clauſ. 11 *Ed.* 3 p. 2. m. 40 dors.

[5.] *T. W. ad hunc Ann*

[5.] Chron. Eveſham. MS. in Bib. Bod

In [6] this Parliament (which *Walſingham* falſly places at *Nottingham*) it was alſo ordain'd, that for the further Encouragement of the Manufacture of Woollen Cloth, all *Flemiſh* Weavers, and thoſe of other Countries, ſhould have free Liberty to come over, and inhabit in *England*, and exerciſe their Trade. From whence the Reader may obſerve, that even in thoſe Times, the coming of Foreigners into *England*, who brought over with them any uſeful Trade or Manufacture, was encouraged by a Law.

[6] *Ad. hunc Ann*

The Parliament gives leave for *Flemiſh* Weavers to come over and exerciſe their Trades.

And not long after, for the raiſing a ſufficient Fund againſt the intended War with *France*, the [1] King iſſued out a Commiſſion to the Lord *Molins*, for the ſeizing of the Eſtates of all *Lombard* Merchants, who by reaſon of their Exceſſive Extortion by Uſury, were now become odious, and a Publick Grievance to the Nation. And he was order'd to deliver all their Jewels and ready Money, *&c.* to the Conſtable of the *Tower*, to be kept by him for the King's Uſe. About the ſame time, [2] He alſo cauſed to be ſeized into His Hands, the Goods

[1.] *Dugdale*'s Baron. Vol. 2. p. 146

The King iſſues a Commiſſion for the ſeizing the Eſtates of the *Lombards*, for their exceſſive Extortion

[2] *H. K.* Col. 2570.

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He alſo ſeizes the Revenues of Priories Alien. Vid. *Clem. Reyner*. Ap. Ben. Part 2. in Ap. p. 71.

and Revenues of all Alien and Foreign Priories, eſpecially of the *Cluniac* and *Ciſtercian* Orders, which were immediately let out to Farm to thoſe Monks, who paid a ſufficient Rent for them during theſe Wars.

* Chron. Eveſ. *MS.*

† *H. K.* Col. 2469 *& ad An.* 1336. *ſed falſo.*

The K. amaſſes a great Quantity of Treaſures, which produces a great Scarcity of Money in the Country.

* By theſe means the King is ſaid to have amaſſed together ſuch an exceſſive Quantity of Treaſure, that thereby the Country was almoſt exhauſted of Money, and conſequently † Victuals and other Commodities became exceeding Cheap; a Quarter of Wheat being then ſold at *London* for Two Shillings, and a fat Ox for Six and Eight-pence, a fat Sheep for Eight-pence, a fat Gooſe for Two-pence, and Six Pigeons for a Penny. This I take notice of, that ſo the Reader may from hence obſerve, that the Price of Proviſions hath abated or riſen in this Kingdom, according to the Plenty and Scarcity of Money; and with it the Price of Human Labour in this, and (generally ſpeaking) in all other Countries: Tho' by reaſon of ſome particular Accidents, this Rule may ſometimes fail, as we have ſeen it in *England* a few Years ſince; when notwithſtanding the great Scarcity of Coyn, Corn and all other Proviſions continued at a very high Price. But that was purely accidental; becauſe there was then great need of Proviſions for the Army and Fleet; and beſides this, there was at that time a great Dearth of Corn in *France* and other Countries. But to return to our Hiſtory:

[3.] Id. Col. 2570.

That [3.] which the more increaſed theſe Hardſhips, was, the King had the Summer before taken up all the Wooll in *England*, at the Price of Nine Marks the Sack, giving the Owners Wooden Tallies, or ſhort Notes in Writing for the ſame, under the Hands of certain Merchants, who were employ'd in each County by the King for that purpoſe. Theſe Wools, amounting in all to about Ten Thouſand Sacks, were not long after ſent over into *Brabant* by the Biſhop of *Lincoln*, the Earls of *Northampton* and *Suffolk*, and there ſold for Twenty Pound each Sack, and the Money diſpos'd of to pay for the Levies in *Germany* above-mentioned. Yet theſe Wools together with many Soldiers being put on board in the River *Thames*, and other Places, were a long time detain'd by contrary Winds, to the great prejudice of the Kingdom, and Loſs of Trade, (as my Author obſerves.) And indeed the Manufacture of Woollen Cloaths lately encouraged by Parliament, muſt needs have been much hinder'd thereby.

* Rot. Alman. 11 *Ed* 3. n. 10.

The K. ſends Ambaſſadors to treat with *Louis* the Emperor.

† Ib. n. 11.

* Ib. n. 7.

He alſo appoints the ſame Perſons to treat with the King of *France.*

Immediately after this, the King again took in hand that Great Affair of ſtrengthening His Alliances abroad; and to that Purpoſe, * another Commiſſion, bearing Date the Third of *Octob.* was iſſued out to the aforeſaid Biſhop of *Lincoln*, and Earls of *Salisbury* and *Suffolk*, and *John* Lord *Darcy*, Steward of the King's Houſhold; with Power to any Three of them to treat thereupon with *Louis* the Emperor. There was † alſo another Commiſſion of the ſame Date made out to them, and to *Richard Winkele*, *John Ufford*, *Paul de Monteſleur*, *John Montgomery*, and *John Walwyn*; impowering them to treat with, and to retain all Perſons, as well Nobles as others, for the King's Service. And as the King did by theſe means endeavour to enable Himſelf for the Recovery of the Crown of *France*, ſo likewiſe did He not neglect all due Methods of Peace: And to that end, by * another Commiſſion dated the *Seventh* of *October*, He conſtituted the foreſaid Biſhop of *Lincoln*, with the reſt of the Perſons already named, His Agents, to

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to treat with the Magnificent Prince, the Lord *Philip*, the Illuſtrious King of *France* (as He is ſtiled in the Commiſſion) or His Deputies, touching His Right to the ſaid Crown; to wit, whether it ought to remain to Him, or King *Edward*: And farther, by another *Commiſſion* of the ſame date, they were impower'd to treat upon all *Controverſies* and *Demands* whatſoever, relating to the Dukedom of *Aquitain*, or other Parts beyond Sea, as alſo of a happy or perpetual Peace, if it might be obtain'd.

Yet leſt this Propoſal ſhould not meet with an agreeable Return, He at the ſame time order'd a * Commiſſion to *John* Duke of *Brabant* and *Lorrain*; wherein He ſets forth, That ſince the Famous Kingdom of *France* was lawfully devolved to Him by Right of Succeſſion, and that He had claimed it as His Inheritance, He therefore appointed the ſaid Duke His Lieutenant General there, with the ſole command of the Sword; and with other Clauſes needleſs here to be recited.

* Rot. *Scot.* 11 *Ed.* 3. m. 1. printed in Dr. B's *Appen.* n. 85.

He makes the Duke of *Brabant* His Lieutenant General againſt *France*.

* After theſe Commiſſions ſo made, He directed His *Writs* or *Letters* of the ſame Date to the *ABps*, *Bps*, *Dukes*, *Marquiſſes*, *Earls*, *Barons*, and all other perſons in the Kingdom of *France* whatſoever, commanding them willingly and freely to receive the ſaid *Duke*, and obey him in all things, as if He were preſent Himſelf; letting them know, that to the Obedient He would be very kind, and to the Stubborn ſevere.

* Ibidm.

And directs His Letters to all the people of *France* to obey Him as ſuch; and now takes the ſtile of King of that Kingdom, tho He does not retain it.

I cannot but take notice, that in all theſe *Commiſſions* He ſtiles Himſelf King of *England* and *France*, which was the firſt time that ever He uſed that Title; and in a *Duplicate* of the ſame (for moſt of them were double) He is ſtil'd King of *France* and *England*; which Variation I ſuppoſe was made that He might not give offence to either Kingdom: And it is further to be noted, that when He had iſſued forth theſe *Commiſſions* He made no more uſe of the Title of King of *France* in any *Charter* or Publick *Writing* until about three Years after, and then He reaſſum'd it, together with the *Arms* thereof; and you will then alſo find upon what Conſideration it was done. But it is certain that theſe *Commiſſions* and *Writs* could have little effect in *France*, which was then ſufficiently united under King *Philip*, to prevent any Endeavours that ſhould be uſed to promote the King's Deſigns in that Kingdom. But as for the *Commiſſions* that were granted to the Princes and Noblemen of *Germany*, thoſe Treaties had better ſucceſs by means of the King's Ambaſſadors abovementioned; ſo that ſome out of kindneſs and reſpect to the King of *England*, and others out of a deſire to finger the Golden *Florens* from *England* (which the King then cauſed to be plentifully diſtributed among them, on pretence of Wages to their Soldiers) they moſt of them declar'd for Him, and offer'd to defie the *French* King, and to bring into the Field ſuch a number of Men as had been agreed on, whenſoever King *Edward* ſhould pleaſe to command them.

As for the reſt of the Foreign Affairs of this Year, I have not much to add, only in *Scotland* things did not go ſo well for the King's Advantage; for He having committed the care of the *Marches* to the Earl of *Warwick* and other Noblemen, tho they made ſeveral Incurſions into that part of the Kingdom that held for King *David*, yet had they no great ſucceſs: Whilſt on the other hand, the *Scots* invaded *England*, and did much miſchief both by Fire and Plundering, till the Truce that was made upon the raiſing the Siege of *Dunbar*, (as hath been already rela-

The King's Affairs have no very good ſucceſs in *Scotland*.

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ted:) But this could not be well avoided, the King being wholly taken up with Preparations for the War with the *French* King.

Philip ſeizes ſeveral Towns in *Gaſcoigne.*

*Rot. Vaſconi. 11 *Ed* 3. m. 40.

The King thereupon ſends ſome Forces into *Gaſcoigne,* which turns the Scale of Affairs.

[5] Contin. Chron. *Guil de Nangiſ.*

In *France* the King's *Affairs* were but in an ill condition neither, for in the beginning of this Year King *Philip* had ſent Forces into *Gaſcoigne,* where He ſeized (as we have already mentioned) many of His Caſtles and Fortreſſes: Upon this News King *Edward,* to put ſome ſtop to the Progreſs of the *French* King, * gave orders to preſs twenty Ships in the Port of *Southampton* and other places, and to have them ready at *Portſmouth,* to carry over Men for *Gaſcoigne* on *Whitſunday-Eve* enſuing, [5.] for the reinforcement of the Lord *Oliver Ingham, Seneſchal* of that Countrey; who after the arrival of theſe Forces, turned the Scale of *Affairs,* and marching into the King of *France's* Territories, took the ſtrong Caſtle of *Parcole,* and deſtroy'd divers Towns with Fire and Sword.

[1] *Victorel. & Ciacon.* 1 Vol p. 862.

Odoric Reynold. ad hunc Annum

Holingſhed, p 901.

The *Pope* ſends two Legats to mediate a Peace with *France,* who are received with great pomp.

* Rot. Clauſ. 11 *Ed.* 3. Part. 2. m. 11. Dorſ.

A Parliament ſummon'd at *Weſtminſter,* at *Candlemaſs,* till which time a Truce is granted with *France.*

* Rot. Fran. 11 *Ed.* 3. m 2. Dorſ.

Odoric. Raynold. ad hunc Ann.

[2.] Rot. Franc. 11 *Ed* 3. m. 2. Dorſ.

The [1.] *Pope* now perceiving that a War was ready to break forth between the Two Kings, ſent into *England* about *Martinmaſs, Peter,* Prieſt and Cardinal of St. *Praxedes,* and *Bertrand,* Cardinal Deacon of St. *Mary* in *Aquire,* to uſe their beſt means to compoſe the Differences between them: Then for the more honourable reception of theſe Pacificators, according to the King's Order, the ABp of *Canterbury* and divers other Bps, with the Mayor and Aldermen of the City of *London,* went forth and met them on *Shooter's-Hill*; then the Young Duke of *Cornwal,* with the Earl of *Surrey,* and ſeveral others of the Nobility received them a Mile without the City, and the King Himſelf met them at the Leſſer Hall Door of His Palace at *Weſtminſter,* (which we now call the Court of *Requeſts*) and carried them into the *Painted-Chamber,* where they delivered their Letters from the *Pope*; * whereupon the King cauſed a *Parliament* to be ſummoned to meet Him at *Weſtminſter* on the morrow after *Candlemaſs-day,* 'till which time upon the *Cardinal's* Mediation, tho a Peace could not be effected, a * Truce was agreed on till the ſaid morrow after *Candlemaſs-day.* But Peace was not the only Buſineſs about which theſe *Legates* came, but the Privileges and Immunities of the *Church,* which (as the *Pope* Alledged) were very much invaded, as appears [2.] by His Letters to the King, bearing date IX *Kal. July, Ann. Pontif.* III°.

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[3] *T. W.*

The Convocation meets, at which one of the Legats reflects on the King's Proceedings, but is anſwered by the ABp of *Canterbury.*

The firſt thing that occurs this Year, is, [3.] that at the meeting of the *Convocation* a little before the *Parliament* above-mentioned, Cardinal *Bertrand* (a *Frenchman,* and one of the *Legates*) ſoon declared himſelf no impartial Mediator for Peace; for in his Sermon which he preached *ad Clerum,* he could not forbear making ſeveral Reflections upon King *Edward's Actions,* putting the beſt Colour he could upon thoſe of King *Philip*; which ſo far provoked the ABp of *Canterbury,* that notwithſtanding the Cardinal's Character, ſo ſoon as his Sermon was over, he roſe up and made another Diſcourſe to the Aſſembly, wherein he ſhewed all the Cardinal's *Aſſertions* and *Arguments* to be vain and frivolous.

The Parl. meets, give the K. a great Tax out of Wool.

Then on the Third of *February* the *Parliament* began, in which the *Laity* granted the King the one half of their *Wools* throughout the whole *Realm* for the next Summer, which He received very graciouſly; and He then levied of the *Clergy* the whole *Tenth,* cauſing them to pay nine Marks for every Sack of the beſt *Wool,* but after the rate of one half He took in whoſe hands ſoever it was found, as well Merchants as

Others, according to the foreſaid Grant: After this He took a *Fifteenth* of all the *Commonalty* of His Realm in *Wool*, the Price of every Stone (at fourteen Pounds *per* Stone) being rated at two Shillings.

*At the ſame time the *Legates* prevail'd with the King to prolong the Truce till the Firſt of *March*, which day being alſo come, at the Inſtance of the ſaid Cardinal, the King further continued the aforeſaid Truce with *France* to *Midſummer* following, in caſe that King conſented to it, and would give Security that it ſhould duly be obſerved; after which, on the Twenty firſt of the ſaid Month, theſe Cardinals [4.] (who coſt the *Church of England* fifty Marks *per diem* all the time of their ſtay) took Shipping at *Dover*, the *ABp* of *Canterbury* and the *Bp* of *London* bearing them company, with intent to further the Treaty between the Two *Kings*; but becauſe all their Endeavours brought forth no *Accommodation*, we ſhall at preſent ſay no more of their *Proceedings*, but return to the Matter in hand.

*Rot. *Alman.* 12 *Ed.* 3. m. 36. The Legates having prolonged the Truce with *France*, leave *England*.

[4.] H. K. Col. 2570.

When King *Edward* underſtood that the *French* King refuſed to give any ſecurity for the inviolable obſerving the Truce, *He thought good to revoke the latter Prorogation, which was done accordingly; ſo on the ſixth of *May* He made Himſelf ready for a Journey into *Flanders*, there perſonally to confer with His Allies, in purſuance of His deſign'd War againſt *France*; but before He went, upon the *Cardinal*'s further Importunity, a *Commiſſion was iſſued to *John ABp* of *Canterbury*, *Richard Bp* of *Durham*, *Robert Earl* of *Suffolk*, Sir *Geoffrey Scrope*, *Knt.*, and Mr. *John Vfford*, *Archdeacon* of *Ely*, with Power to treat and agree touching all things in difference between the Two *Kings*, in reference to a full and final Peace: And by another *Commiſſion* of the ſame date, *viz.* the One and Twentieth of *June*, the Duke of *Brabant*, the Earls of *Haynalt* and *Gueldres*, the Marquiſs of *Juliers*, and Sir *William Dunort*, Lord of *Oſtervandt*, *Knt.*, are added to them: Theſe *Commiſſions* were double, and of two ſeveral Stiles; in the one the *King* calls *King Philip* only *Philippus de Valois Conſanguineus noſter Franciæ*; but in the other, *Excellentiſſimus Princeps, Dominus Philippus Rex Franciæ, Illuſtris Conſanguineus noſter, &c.*

*Rot. *Alman.* 12 *Ed.* 3. m. 36. K. *Edward* revokes the Truce with *France*; and why.

*Rot. *Alman.* 12 *Ed.* 3. p. 1. m. 5. A *Commiſſion* is granted to the *ABp* of *Canterbury* and others to treat with the King of *France* about all Differences between the two Kings.

The reaſon (I ſuppoſe of theſe *Double Commiſſions*, was, that it might be left to the *Commiſſioners* either to own or diſown King *Philip*'s Title, according as they ſhould found it made for or againſt their Maſter's Intereſt; but this Treaty came to nothing, ſo that now all Reaſonable Propoſals of Peace being rejected, [5.] *Jacob Van Artefeld*, with thoſe of his Party, earneſtly deſired the King's preſence in *Flanders*, therefore He reſolved to go over thither; and on the Sixteenth of *July* [1.] took Shipping at the Port of *Orewell*, near *Harwich*, in *Suffolk*, with a Royal Navy of five hundred Sail, with many Earls and Barons of *England* in His Company; among whom were *Henry* Earl of *Darby*, *William Montacute*, Earl of *Salisbury*, &c. to the number of near twenty of the Flower of the Nobility of *England*, whoſe Names it would be too tedious to repeat.

[5.] Froiſſ. ib. cap. 5.

[1.] Chron. Rob. *Aveſbury*.

The King paſſes over into *Flanders* with a great Fleet and Army.

Vid. Dugd. Baron. 1 Vol. *ſub. nom. ſingulorum*.

Theſe with their Retinues made a Formidable Body of Horſe, beſides whom [2.] King *Edward* had a great multitude of Archers and *Welſhmen*, with all which He arrived at *Antwerp*, belonging then to the Duke of *Brabant*, on the Two and twentieth of *July*; while He reſided here, People came flocking from all parts to ſee Him, and to obſerve the Royal Magnificence of His Court.

[2.] H. K. col. 2571.

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[3.] Froiſſ. ib. He ſends to the Dukes of *Brabant* and *Gueldres,&c.* to meet Him at *Antwerp*, and revokes all *Commiſſions* to treat with the King of *France*.

* Rot. *Alman.* dat. apud *Antwerp.* 12 *Ed:* 3. m. 3 & 7.

[4.] Froiſſ. ib. The King's *Demands* from theſe Princes, with their *Anſwer.*

One of the firſt things the King did after His arrival was, [3.] to ſend Letters to the Duke of *Brabant*, the Earl of *Gueldres*, the Marquiſs of *Juliers*, and the Lord *John* of *Haynault*, with other great Lords of His Party, inviting them to a perſonal Congreſs or Enterview at *Antwerp*, and accordingly they came to Him within a few days; and ſoon after King *Edward* * publickly revoked all the Powers which He had formerly given to His ſeveral *Commiſſioners* before mentioned, to treat with *Philip* of *Valois* as King of *France*; and then [4.] He deſired to know the Reſolutions of theſe Princes and Lords, whether they would truly perform what they had undertaken in His behalf. He likewiſe earneſtly preſſed them to 'Diſpatch what they intended with all poſſible 'expedition; for to that purpoſe, (He ſaid) He was come over thither 'with His Forces ready prepared to begin the War, and that it would 'be an infinite damage to Him to protract it much longer. Theſe Princes and Lords having maturely conſidered the King's Propoſals, return'd to this effect: 'That being now come only to give His Majeſty a perſonal Viſit, they were not juſt then prepared to give Him an *Anſwer* 'to ſo weighty a *Demand*; but they would return again to their reſpective Subjects, and after they had conſulted them, would give 'His Majeſty a poſitive *Anſwer*, when ever His Majeſty pleaſed. The King ſeem'd not very well pleaſed with this, and ſhewed them at what great Charges He had been, and was further like to be by theſe *Delays*, that He expected to have found all of them ready at His coming thither; but ſince it was not ſo, He for His part reſolved not to return to *England* until He had a plain *Anſwer* from them one way or other: Then they all appointed a day for their March to be within three Weeks after *Midſummer*; which being agreed to by all there preſent, they took their leaves of the King for that time.

The Duke of *Brabant* holds private Correſpondence with the King of *France*.

He ſtill continued at *Antwep*, being lodged in the *Abbey* of St. *Bernard*, and moſt of His Great Lords continued with Him; as for the *Duke* of *Brabant*, He returned to the City of *Lovain*, from whence He ſent privately frequent Meſſages to the King of *France*; requeſting, that He would not entertain any Suſpicion of him, nor give credit to Idle Rumours; for he aſſured Him that he would not make any *Alliance* or *Agreement* to His *Diſadvantage*; tho (as He ſaid) the King of *England* being His *Couſin-German*, he could not in honour refuſe Him the Civility of his Country. Thus the Duke of *Brabant* endeavouring to keep in with both Kings, was really a Friend to neither.

[5.] Id. ib. The *German* Princes ſtill excuſe their coming with their Forces, and on what pretence.

[1.] *H. K.* col. 2571.

The K. ſends again to the Duke of *Brabant*.

The [5.] Third of *Auguſt* being come (which was the day appointed) the King expected the *Anſwer* of theſe Lords; but they making their Excuſes, ſent the King word, That as for their part they and their Men were ready, provided the *Duke* of *Brabant* would be as ready on his part, for he was nearer than they; therefore, when they ſhould underſtand that he was fully provided, they would not be at all behind him: The King was extremely diſpleaſed in His Mind at this put off, for He found no Sincerity in any of them except [1.] in the Earl of *Gueldres*; and He indeed privately told the Bp of *Lincoln*, *That His Majeſty had not been well adviſed hitherto.* The *King* upon this immediately communicated the *Anſwers* of the Lords to the *Duke* of *Brabant*, and urging the Matter home to him, required him as His Friend and Kinſman, to deal freely with Him, for that hitherto He perceived he had been very backward in His Intereſt, ſo that He had reaſon to fear, unleſs

leſs he grew more warm, and ſhew'd more Concern for His Cauſe, He ſhould loſe the Aſſiſtance of all the Other Lords of *Almain*.

[2.] *Froiſſ.* ib.

Who deſires another Meeting with the reſt of the Princes and Lords, which is held accordingly, with the reſult of it.

The [2.] Duke being rouzed by this Meſſage, began to conſider more ſeriouſly of the Matter; and fearing that by this Double-dealing he might loſe both Princes, and thereby expoſe himſelf to their Diſpleaſures; at laſt he ſent the King word, that he was as Affectionate as any for His Service, only deſired once more to ſpeak with the foreſaid Princes and Lords together. Upon which they were again ſummoned, and the time of their Meeting appointed to be the middle of *Auguſt*, at a Place called *Halle*, a Town of *Haynault*, on the Borders of *Brabant*. And this Place was judged the fitteſt, becauſe the young Earl of *Haynault*, and his Uncle the Lord *John* of *Beaumont*, might the more eaſily be there. In ſhort, the Reſult of this *Aſſembly* at *Halle*, was, that the Princes and Lords having again conſidered of the Buſineſs very ſeriouſly, they found themſelves ſo much devoted to King *Edward*'s Service, that they declar'd they would never deſert Him, unleſs compell'd by the Emperor, to whom only they owed Allegiance: Wherefore in the Name of Himſelf and all the reſt, the Duke of *Brabant* addreſſed himſelf thus to King *Edward*: 'Sir, We of our ſelves 'cannot find any juſt cauſe, all things conſidered, to defy the *French* 'King, without the Conſent of the Emperor our Sovereign Lord; and 'that He ſhould command us ſo to do in His Name. But there being 'long ſince an Article Sworn and Sign'd between *France* and the Em'pire, that no King of the former ſhould hold any thing belonging to 'the latter: Notwithſtanding this Agreement, King *Philip* hath ta'ken the Caſtle of *Crevecoeur* in *Cambreſis*, and the Caſtle of *Alves* in '*Bailleul*, and alſo holds the City of *Cambray* it ſelf; ſo that the Empe'ror hath good reaſon on His ſide to defy the King of *France*. Now, 'Sir, if you can obtain His Conſent, it will be much for our Honour; 'otherwiſe all the World will ſay, that without the Imperial Authori'ty, the Lords of *Almaign* commenced an unjuſt War, having no 'Provocation thereto.

[3.] Id. ib. The King appoints the Marquiſs of *Juliers* and certain *Engliſh* Knts to go to the Emperor, and treat with Him about His Aſſiſtance.

This [3.] Declaration appeared reaſonable enough to the King: Wherefore He appointed the Marquiſs of *Juliers*, and ſome *Engliſh* Knts and Learned Civilians, together with one or two of the E. of *Gueldres* Council, to go to the Emperor, and to treat with Him about this Affair. But tho' the Duke of *Brabant* would by no means appear in this Treaty, for fear of diſpleaſing the King of *France*, yet however he freely lent King *Edward* his Caſtle of *Louvain*, to reſide there when ever He pleaſed to make uſe of it.

The Emperor deſires a Perſonal Enterview with the King, who comes to the City of *Cologne* to meet Him.

When the Marquiſs and thoſe that accompanied him, had received their Audience of the Emperor, who was then at *Florebech* in *Bavaria*, He partly by his own Inclination, and partly by the Perſuaſions of the Empreſs His Wife, Siſter to Queen *Philippe*, was willing to grant King *Edward*'s Requeſt; and for the better Settlement of all Affairs between them, deſired a Perſonal Enterview with Him.

Froiſſ. ib c. 35.

[4.] *H. K.* ib. The Manner of this Enterview with the great Number of Princes and Nobility that appear'd there.

Whereupon, the King, in compliance thereunto, [4.] met the Emperor at the City of *Cologne*, who Himſelf came out of *Germany*, no leſs than Seven Days Journey, on purpoſe to meet His Majeſty at that Place. The Enterview was very Magnificent, being in the Market-Place, where two Thrones were erected in the open Air, the one for the

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The Emperor defies the King of *France*, and appoints King *Edward* His Vicar-General of the Empire on this ſide.

He and His Barons ſwear to help Him againſt the K. of *France* and all His Adherents.

the Emperor, the other for the King. The former took His Place firſt, the other ſat down afterwards. In which Magnificent Aſſembly, there were as Aſſiſtants, Four Great Dukes, Three Archbiſhops, and Six Biſhops, Thirty-Seven Earls, and of Barons, Bannerets, Knights and Eſquires, (according to the Eſtimation of the Heralds) about Seventeen Thouſand. Then the Emperor ſet forth the Falſhood which the King of *France* uſed towards Him; and thereupon He defyed Him, and pronounced both Him and His Adherents Enemies to the Empire. And further by a Charter or Bull which He then deliver'd to the King in the Sight of all there preſent, He ordained and conſtituted Him His Deputy and *Vicar-General* of the *Sacred Roman* Empire, over all the Provinces on this ſide as far as *Cologne*. The next day, theſe two mighty Potentates, with their Great Lords and Prelates, met again in the Cathedral Church of *Cologne*; where, after High Maſs, the Emperor and all His Barons ſwore to the King of *England*, That they would ſtand by, help, and defend Him againſt the King of *France* and all His Adherents, both to live and to die with Him, for the Space of Seven Years to come, provided the War between the ſaid Kings ſhould not be compoſed before that time. And moreover it was further ſworn, That all the Barons of *Almain*, from *Cologne* and on this ſide, ſhould preſently enter into the King of *England*'s Service, againſt the King of *France*, as often as they ſhould be required; as well where the King of *England* ſhould be in Perſon, as to any other Place where He ſhould aſſign them: And if it ſhould happen, that any one of the Confederate Princes and Lords of *Almain* ſhould refuſe to obey the ſaid King in this His Enterpriſe, that then all the other Lords of *Germany* would riſe up in Arms till they had deſtroyed him. All Points being thus fully agreed on and eſtabliſhed, after many Interchangeable Careſſes and Noble Entertainments, the King of *England* took His leave of the Emperor, and return'd with all His Company to *Louvain*.

The Emperor and K. *Edward* take their leaves of each other.

[5.] *Froiſſ* ib. c. 35.

K *Edward* ſummons all His Allies to a General Aſſembly at *Malins*.

[1.] *H. K.* Col 2572.

[2.] *Froiſſ.* ib.

They meet, and the K is there declared Vicar-General of the Empire, and acts as ſuch.

As ſoon as [5.] King *Edward* was come again into *Brabant*, He iſſued out His Summons to the Duke of *Gueldres*, the Earl of *Juliers*, and all other His Allies in thoſe Parts, to be preſent at a General Aſſembly which He intended to hold at the Town of *Arquel* in the County of *Lauze*, or (as our [1.] Hiſtorian ſays) *Mechelen* or *Malins* in *Brabant*: Whither at the time appointed the Princes and Lords met the King in the Town-Hall of that City, which was nobly furniſh'd for that purpoſe. The Chief Perſons were, the Duke of *Gueldres*, the young Earl of *Haynault*, the Earl of *Juliers*, the Lord of *Valkenberg*, or as the *French* pronounce it, *Faulquemont*, and all other Barons on this ſide *Cologne*; except only the Biſhop of *Liege*, who was a Great and Powerful Prince in thoſe days. In this [2.] Aſſembly, the King being placed in a Stately Throne five Foot higher than the Floor, the Emperor's Letters-Patents were openly read: Wherein it was declar'd, That King *Edward* of *England* was made Vicar-General to the Emperor; and that He had full Power to make Laws, and to adminiſter Juſtice to every Perſon in the Emperor's Name, and to coin Money, both Gold and Silver, at His Pleaſure. It was further alſo commanded by theſe Letters-Patents, That the Lords and Subjects of the Empire ſhould yield Obedience and pay Homage to the King His Vicar, as to Himſelf. Immediately hereupon, for Form-ſake, and as an Acknowledgment of the Power of this New Vicar, certain Legal Claims were made before Him, and Judgments given by Him between Parties, as if it had been before the Emperor Himſelf, in His own Court or Great Council. Then [3.] the King, in perſuance of His New Authority, held another Court on the Borders of the Territory of *Liege*, and there ſummoned that Biſhop to appear, and come in and own Him; which, He being already engaged in the *French* Intereſt, refuſed to do. Whereupon the King ſent the Biſhop of *Lincoln* to complain of Him to the Emperor, and to require Juſtice againſt Him. To which Meſſage the Emperor return'd in Anſwer, That He would ſhortly come in Perſon, to revenge and aid His Brother the King of *England*.

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[3.] *H. K.* ib. The King as Vicar-General holds a Court, wherein the Biſhop of *Liege* is ſummoned to appear, but refuſes it.

[4.] Theſe things being diſpatched, the Princes and Lords of *Germany* departed, having firſt agreed upon a certain day, *viz* the *Eighth* of *July* following, when they were all to meet before *Cambray*, in order to lay cloſe Siege to it. Then King *Edward* went back to *Louvain* to the Queen, who was lately come thither out of *England*, being nobly attended by ſeveral Ladies who took that Opportunity to wait on Her, and alſo to viſit their Fathers and Husbands then in the King's Service. After the Queen had ſtayed ſome time at *Louvain*, She together with the King return'd to *Antwerp*, as being more Commodious for Her Lying-in: [1.] Where on the *Nine* and *Twentieth* of *November* following, She was brought to Bed of a Son, who was Chriſt'ned *Lionel*, and was afterwards, upon the Marriage of the Daughter and Heir of *William de Burgh*, created Earl of *Ulſter*, and Duke of *Clarence*, and proved a Prince of great Courage, and of a moſt Graceful Perſon; and of whom you will hear further in the Sequel of this Hiſtory. Whilſt [2.] King *Edward* continued at *Antwerp* all this Winter, He kept a moſt Magnificent Court, and, as Vicar of the Empire, there ſet up His Royal Mint, where He coined a great deal of Money both in Gold and Silver.

[4] *Froiſſ.* ib. The Princes and Lords appoint to meet before *Cambray* on a certain day.

The Queen is brought to bed of a Son at *Antwerp*.

[1.] *T. W. Sanford's* Gen Hiſt. p. 219.

[2.] *Froiſſ.* ib. The K. keeps a Magnificent Court, and as Vicar of the Empire coyns Money.

But ſince the Series of Foreign Affairs, which could not be well interrupted, would not give me leave to mention what was done this Year in *England*, as well ſome time before as after the King's going beyond Sea; I ſhall here inſert thoſe Tranſactions, beginning with ſuch as relate to the Sea.

On [3.] the Eve of our *Lady-day*, certain *Norman* Gallies enter'd the Haven of *Portſmouth* under *Engliſh* Colours, and landing with a ſufficient Force, plunder'd the Town, and then ſet it on fire, and burnt all except the Pariſh-Church; But the Country riſing upon them, they were forced to betake themſelves again to their Ships. From whence we may obſerve, how Naked and Unguarded the greateſt Ports of *England* were in thoſe days; and I could wiſh they were yet better fortified, to prevent the like Affront from our Enemies abroad. Thus the *French* made the firſt Aſſault upon *England*, which was ſeverely return'd upon them ſome time after.

[3.] Chron. MS. *de Eveſham.* *H. K* C. 2570. Certain *Norman* Galleys enter the Haven of *Portſmouth*, and plunder and burn the Town.

Whilſt [4] the King was abſent in *Brabant*, the young Prince *Edward*, Duke of *Cornwall*, being Guardian of the Kingdom by Commiſſion from the King His Father, held a Parliament at *Northampton*, which began on the *Twenty Sixth* of *July*; wherein a great Aid was granted to his Father, towards the Maintenance of His Wars, *viz.* Of every Town a Tax (upon Goods of a *Twentieth* Part) where the Value of them amounted to Twenty Shillings. The * King had alſo grant-

[4] *H. K.* Col. 2571. Prince *Edward* as Guardian of the Kingdom, holds a *Parliament* at *Northampton*, where He has a great Tax granted for the Wars.

* *Polychron.* *H K.* ib.

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granted Him all the Wooll of the Kingdom, to be bought at a low Price; which muſt needs amount to a vaſt Proportion; ſince only the Three Counties of *Leiceſter*, *Lincoln*, and *Northampton*, afforded no leſs than Twelve Hundred and Eleven Sacks of *Wooll*. Beſides which, He had an Aid of the Biſhops, Abbots, Priors, Rectors, who held *in Capite*, and went not with Him to the War: Of ſome an Hundred Pounds a-piece, of others Two Hundred, according to their Eſtates and Abilities. And moreover, ſome time after, * in a Convocation held the *Firſt* of *October*, a *Tenth* was granted of the Clergy for two Years to come.

* Rot. Clauſ. 12 *Ed.* 3. *P.* 2. m. 17. dors.

But [5.] to come to Military Matters. About this time, there were Sixty Sail of Stout Ships appointed for the Defence of the *Cinque-Ports*, beſides the preſent Fleet; and *William Clinton* Earl of *Huntingdon*, and Conſtable of *England*, was made Warden or Lieutenant of *Suffolk*, and the Lord *Robert de Morley* of *Norfolk*; which, by the way, is the firſt time I find any mention in our Hiſtorians of ſuch Officers.

[5.] *H. K.* Col. 2573.

A great Fleet ſet out for the Guard of the *Cinque-Ports*.

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What the King did this Winter, and great Part of the following Summer, I do not find; only it is likely, that He (as well as the Princes of *Germany*) made the beſt uſe they could of this Seaſon, to get themſelves in readineſs againſt the time appointed for Action: For King *Edward* had now received His Recruits from *England*, which He had long expected, and which arrived the Beginning of *June*. About this time, * the Duke of *Gueldres* did Homage to Him as Vicar of the Empire: In conſideration whereof, the King granted him a Thouſand Pounds *per Ann.* during his Life. And He had further made an Allyance with *Albert* Duke of *Auſtria*, and *Otto* Duke of *Stiria* and *Carinthia*, and received their Homages. But yet before He began His March into the *French* Territories, at the Inſtance of the Cardinals, *Peter* and *Bertrand* (of whoſe Endeavours for Peace we ſpake before) † *John* Archbiſhop of *Canterbury*, *Richard* Biſhop of *Durham*, *Henry* Biſhop of *Lincoln*, the Earls of *Derby*, *Salisbury*, and *Suffolk*, with ſome others, were by the King empower'd to Treat once more with *Philip* of *Valois*, or His Deputies, concerning the Dignities, Honours, Lands, and Rights, belonging to King *Edward*, and all other Controverſies whatſoever: The Deputies on the other Part, being the Archbiſhop of *Rouen*, the Biſhops of *Langres* and *Beauvois*; and the Places of Treaty were, firſt *Campaigne*, and then *Arras*. But when no *Peace* could be thereby effected, the Demands of both *Parties* being ſo high, the King reſolved to prepare for War.

K. *Edward* receives His Recruits from *England*, and prepares for *Action*.

* *Lit. Pat inter Reg. & Magnates German.* 13 Ed. 3. m. 2.

The Duke of *Gueldres* does Him Homage as *Vicar-General*, &c. as do alſo the *Dukes* of *Auſtria* and *Carinthia*.

† *Pat. Conceſſ. Homin. Angl. & Vaſcon.* 13 Ed. 3. m. 17.

The *ABp.* of *Canterbury* and other Nobles treat with the Commiſſioners of *France* concerning a Peace, tho' in vain, and why.

But before He began this *Campaign*, He wrote to the *Pope* and College of *Cardinals* a long Epiſtle, of which I ſhall only give you the Contents, and leave the Reader to conſult the Original in * *Walſingham* and other Authors. 'The King, after a long *Preface*, [1.] wherein 'He vindicates the Right of Self-defence againſt injurious Violence, as 'juſtified by the Law of Nature; then proceeds to bewail that He 'cannot now undertake a War againſt the Enemies of the *Chriſtian* '*Faith*, by reaſon of the great Malice and Obſtinacy of His *Perſecutor*, 'who ſtiles Himſelf King of *France*, and who doth daily entrench upon, and diminiſh His juſt Rights, without any Attempt or Provocation 'given on His ſide.

The K. again prepares for War, but firſt writes to the Pope and Cardinals to juſtify His Procedings againſt *France*.

* *An* 1336. *ſed falſe.*

[1.] C. *ad Mur. ad hunc Ann.*

He

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‘He in the next place proceeds to ſet forth the Uſurpation which *Philip* hath made upon the Realm of *France*, and His forceably detaining it to His great prejudice; and alſo ſhews His Own Title to it, *viz* That the *Crown* belonged to Him by Lawful Right of Succeſſion, as being Grandchild to *Philip the Fair* by His Mother Queen *Iſabel*; who (He grants) could not inherit by the Conſtitution of *France*, ſhe being a Woman, yet when all the Sons of *Philip* were dead without Iſſue-Male (*Charles the Fair* being the laſt) He claims it as the neareſt Heir-male to His Grandfather King *Philip*, and as Uncle to K. *Charles* deceaſed, and as having the Right of Succeſſion before *Philip* of *Valois*, Son to *Charles* Earl of *Valois*, His ſaid Grandfather's Brother; and affirmed, that His Mother's diſability to take the *Crown*, could not, nor ought to bar Him of His Right; the Reaſon for which (as not being much to our Purpoſe) I omit.

He ſets forth His Title to that Crown notwithſtanding His Mother's Incapacity to ſucceed.

‘And as for the Judgment of the Peers of *France*, which had been given in prejudice of His Title, He excepts againſt its validity, becauſe it was not only given without any due Citation, and that too during His Minority, but alſo His Proctors, who inſtantly deſired that they might legally appear for Him and His Title, were ſo far from being allowed an equitable Hearing, that they were rudely and unjuſtly repelled with horrible Menaces of no leſs than preſent death. Then He proceeds to ſet forth the Injuries which *Philip* had done Him by invading and ſeizing His Territories in *Aquitain*, and alſo in aſſiſting and maintaining His *Vaſſals* the *Scots* againſt Him; and then lays all the blame of this War upon His Injuſtice, and that He only took up Arms to defend His Own Rights and thoſe of His Subjects; and in order to prevent the Hoſtile Preparations of His Adverſaries, by ſuch Alliances as were neceſſary for His own defence, and for the juſtice of His Quarrel, appeals to the juſt Sentence of the moſt High God, which He hopes He will give Him by the Power of His Sword; nor can He believe that any Impartial Umpire, or Juſt Judge can interpret this Act of His, (*viz.* what He hath done for His Own Defence, and the ſecurity of His juſt Rights) to be any Injury or Offence.

He excepts againſt the validity of the Judgment of the Peers of *France* in His Prejudice.

He appeals to the Judgment of God by the Sword, which He juſtifies as done in His Own defence.

‘And then He advances an Objection which He knew not but might be made againſt Him, for His entring into a League of Friendſhip with * a *Man* againſt whom the *Vicar* of *Chriſt's-Church* is ſaid to have judicially proceeded; to which He anſwers, That He does this only to defend Himſelf from the Dangers that threaten Him, and that He may be enabled to contend for His juſt Rights, which is the real cauſe of His thus acting: In the doing of which (as Equity allows) the final Cauſe of the Action, or its principal Motive is chiefly to be conſidered; ſince as to *Human Actions*, only the real *Act* it ſelf, and not any Malicious Conſtruction thereof is to be conſidered; and then concludes with a ſubmiſſion of His Cauſe to His *Holineſs* and His College of *Cardinals*, from whom He deſires an Information in the Truth, if He hath in any *Particular* deviated from it, being ready to yield Himſelf to Reaſon in all His *Actions*. This bears date at *Antwerp* the Sixteenth of *July* this Year.

* *Viz.* The *Emperor*.

He anſwers the Objection made againſt His joining with the *Emperor* tho' excommunicated.

And I ſhall here ſubjoin the ſubſtance of the *Pope*'s *Anſwer* to this *Letter*, [2] which was written ſome Months after; for the *Epiſtle* it ſelf is very tedious, and is directed to His dear Son *Edward*, King of *England*: *Firſt*, He is pleaſed wholly to paſs by unanſwered all that the King

[2.] Id. ib.

The ſubſtance of the *Pope*'s Anſwer

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He blames the K. for joining with the *Emperor*, and commands Him to lay aſide the Title of His *Vicar*.

'had wrote to juſtifie His Proceedings, and in defence of His Title to the Crown of *France*; the moſt part of this Letter is taken up in relating the Original of the Quarrel between the *Emperor* and *Pope John* His Predeceſſor, and then proceeds to accuſe the King as an Enemy and Perſecutor of the *Pope* Himſelf and the *Roman Catholick* See; that deſpiſing the Proceſſes of His Predeceſſors, He had joined with the pretended *Emperor*, in accepting from Him the *Vicarſhip* of the Empire, and did thereby invade the Honours belonging to Him and the ſaid Church, to whom the Government and Adminiſtration of the *Roman Empire* (being now void) does of Right belong.

And threatens the King with *Excommunication*, if He do not obey it.

And then concludes with a deſire, 'That the King would ſeriouſly conſider the dangerous Snares into which ſome endeavour'd to involve Him, not without the hazard of His utter Ruin; then recites a Conſtitution of His Predeceſſor, whereby He denounced an *Excommunication* againſt all perſons whatſoever; who, without the ſpecial Licenſe of the *Apoſtolick* See, ſhould preſume to take the Name of *Vicar*, or of any other Office within the *Empire*, it being wholly void, and of none Effect; and if not laid down within the ſpace of two Months, would involve Him within the ſaid Sentence, from which He could no way be delivered but by the Abſolution of the *Apoſtolick See*, ſince the ſaid *Lewis* the Emperor is neither King nor *Emperor*; nor is any thing that He hath done, or ſhall do, as ſuch, of any validity; and further, that it did not become the Honour of ſo great a Prince, who hath already the Title of a King, to be ſtiled the *Vicar* of any Temporal Lord whatſoever, and therefore deſires Him ſpeedily to return back into the Right Way, and not to deſpiſe the Judgment of the *Cardinals*, who ſincerely love Him and His Realm, but to endeavour to make Peace with the *French* King, as a thing pleaſing to God, and deſirable by Men; then concludes with a Threat, that if He did not acquieſce in theſe His wholſome Admonitions, He ſhould be forced to provide the beſt Remedy He could concerning the Premiſes, by proceeding againſt Him as Juſtice requires, and which both may and ought to be done, if it ſhall (which God forbid) become neceſſary, however troubleſome and ungrateful it is to put it in execution. Dated at *Avignon* under the Seal of the *Fiſher*, &c. in the Fifth Year of His Pontificate. But we ſhall now return to Matters of greater moment.

[3.] *Froiſſ.* ib. Chap. 36. The King begins His March to *Villenort* and there expects the arrival of the *German Princes*, but in vain; whereupon He ſummons them again. The Great Army the King maintain'd whilſt He lay at *Villenort*, and expence He was at.

Before the receipt of this *Anſwer* from the *Pope*, [3.] King *Edward* (immediately after the date of His Own Letter to Him) began His March with His whole Army to *Villenort* in *Brabant*, where He lodg'd His Men, partly in the Town, and partly without in Tents along the River ſide; here He tarried from the Twentieth of *July* till the middle of *Auguſt*, ſtill expecting the coming of the Lords of the Empire, His *Allies*, but eſpecially of the Duke of *Brabant*, on whom chiefly the reſt did depend; but when His Patience was almoſt tired out with fruitleſs expectation, He was fain to ſend once more His Envoys to each of 'em, ſummoning them to come and meet Him at *Mechelen*, or *Malines*, the Metropolis of *Brabant*, on the First of *September* following, and then to ſhew Him the cauſe of theſe Delays. Now all this while that the King waited thus at *Villenort* for His Confederates, He maintain'd at His own coſt and charge Sixteen hundred Men at Arms, and Twenty thouſand Archers, beſides all the neceſſary Proviſions for His Court, and the great Armies and Gariſons He had in other places; and beſides the vaſt Sums of Money which He had diſpos'd of to the Princes His Confederates.

The [4.] *French* King, for His part, was not unprovided of Neceſſaries for Reſiſtance; for beſides His formidable Preparations in *France*, *Normandy*, and *Aquitain*, He had ſet forth a mighty Fleet of Ships, conſiſting of *French*, *Normans*, *Bretons*, and *Spaniards*, who had Orders, ſo ſoon as ever the War ſhould break out, to invade *England* where they could to the beſt advantage.

[4.] Id. ib. The *French* King prepares a Fleet to invade *England*.

On [5.] the Firſt of *September* the Princes and Confederate Lords of *Germany* came at laſt to *Mechelen* to meet King *Edward* according to His Summons, where it was agreed that His Majeſty ſhould begin His March within Fifteen days at the fartheſt; but for the better juſtification of their Cauſe, they firſt reſolved to ſend the King of *France* a Defiance in every one of their Names, which having been already mentioned, I need not here repeat; only the Duke of *Brabant*, out of ſome politick Conſiderations, refuſed to do it until a more convenient time: Theſe Defiances under the Seals of the ſeveral Princes concern'd, were ſent by the Bp of *Lincoln*, attended by a *Herald* to the *French* King then at *Paris*, they having firſt obtain'd a ſafe Conduct for that purpoſe: But He ſeemed to receive it without any Paſſion or Concern.

[5.] Id ib. The *German Princes* and *Lords* at laſt meet King *Edward* at *Mechelen*, and there agree to begin their March within 15 days. They ſend their Defiances to the K. of *France* by the Bp. of *Lincoln*.

When King *Philip* thus ſaw the War ready to break out upon Him, He forthwith raiſed all the Forces He could, and put a ſtrong Gariſon into the City of *Cambray*, and [1.] ſent forthwith to ſeize the County of *Ponthieu* (as yet in King *Edward*'s poſſeſſion) into His hands; and He had already engaged *John* King of *Bohemia*, and the other Princes and Lords of the Empire of His Party, to come ſpeedily to His Aſſiſtance.

K. *Philip* fortifies *Cambray*, and ſeizes the County of *Ponthieu*, and then ſends to the K. of *Bohemia* to come to His aſſiſtance.

[1.] Id. ib. c. 37.

In the mean while to ſtrike a terror into the *Engliſh* at Sea, [2.] He ſet out a ſtrong Fleet; one Squadron of which, conſiſting of thirteen Sail, met with two brave *Engliſhmen* of War, which had on board them a great Sum of Money, lately received for the *Engliſh* Wool in *Flanders*, being attended with two or three ſmall Ships of inconſiderable value, which upon the approach of the *French*, ſail'd away; but the *Engliſh* Men of War being heavy laden, could not do ſo, but were preſently encompaſſed and boarded by the *French*; and tho they diſputed their ſeiſure with a great deal of Bravery, yet they were at laſt overpowered, taken, and carried into *France*, moſt of the wounded *Engliſh* being flung overboard.

[2.] *Fabian.* Chron. *ad hunc Ann.* He ſets out a Fleet, and takes two *Engliſh* Men of War.

Then on the [3.] Fifth of *October* following, being *Sunday*, fifty Gallies of *Pycards*, *Normans*, and other Nations, under the command of Sir *Quiriel*, *Peter Bahuchet*, and Captain *Barbanon*, the *French* Admirals, came before the Town of *Southampton*, where they eaſily landed, the greateſt part of the Inhabitants running away from the Church, and out of their Houſes. Then the *French* took the Town, and not only plunder'd and burnt it, but alſo (as our *Authors* relate) exerciſed great Cruelties in it, killing the Men, raviſhing the Women, and hanging up thoſe of the better ſort in their own *Houſes*; but before the *French* could all of them get on board again, Sir *John Arundel*, a Gentleman of *Hampſhire*, came upon them with the *Militia* of the County, and killed three hundred of them, the chief of whom [4.] was the King of *Sicily*'s Natural Son, who was knocked down and kill'd by a Country Fellow

[3.] *Froiſſ.* ib. *Stow.* p. 235. The *French* Fleet takes *Southampton*, and plunders and then burns it; yet are at laſt beaten to their Ships.

[4] *Speed* in the deſcription of *Hampſhire*, p. 13.

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Fellow with a *Flail*, tho he cry'd out *Rançoon*; which the Clown gave no heed to, not underſtanding what he ſaid.

[5.] *Stow.* Ib.

The *French* Fleet deſtroy all the *Engliſh* Ships in the *Ports* of *Cornwal* and *Devonſhire*, but landing at *Plimouth*, are repulſed by the Earl of *Devonſhire*.

Some [5] time after eleven of theſe *French* Gallies ſailing upon the Coaſt of *Eſſex*, endeavoured to fire the Town of *Harwich*, but without ſucceſs; after which the *French* Navy endeavoured to land at the Iſle of *Wight*, but being reſiſted by the Inhabitants there, they ſheer'd off. Then having done ſome ſmall Miſchiefs upon the Coaſt of *Kent*, they ſail'd back to the Ports of *Devonſhire* and *Cornwal*, where they took and deſtroyed whatever Veſſels they found in the *Harbours*; and having enter'd *Plimmorth Haven*, they there burnt ſome great Ships, and part of the Town; but before they could return again on board, *Henry Courtney*, Earl of *Devonſhire* (near fourſcore Years of age) came upon 'em with the Train-bands of the County, who falling upon the *French* with downright handy Strokes, made them run away to their Gallies with ſo much haſt, that above five hundred of them were either kill'd or drown'd before they could reach them.

[6.] H. K. col. 2573.

Another Fleet of *French* come before *Sandwich*, and do ſome miſchief on the Coaſt of *Kent*, but are at laſt perſued by a Squadron of *Engliſh*.

About the ſame time [6] there came another Fleet of *Frenchmen*, conſiſting of twenty great Ships, fifteen ſmall ones, and thirty two Gallies, and rode before *Sandwich*, but they durſt not land, becauſe they ſaw the Country *Militia* ready drawn up to receive them; from thence therefore they tacked about to *Rye*, where landing, they did much miſchief; but while they were there, a Squadron of *Engliſh* Ships came up to 'em, whereupon the *French* hoiſted Sail and fled, the *Engliſh* all the while making after them till they came to *Boloigne*, and there landing, they ſet fire to part of the Town, and hanged twelve Captains of the *French* Fleet, whom among others they had taken Priſoners.

Whether our *Engliſh Militia* would be now hard enough for the *French*, is very doubtful.

I have been the more particular in this Account of theſe Actions of the *French* Fleet, and the ſeveral Attempts it made upon the *Engliſh* Coaſts this Year, becauſe tho of no great moment in themſelves, yet it may ſerve to let the Reader ſee how much more *England* might have ſuffered for want of a good ſtanding Fleet of Men of War; and though our *Engliſh* Militia was in thoſe days hard enough for the *French*, whenever they landed upon our Coaſt, yet it may very well be doubted, if the like ſhould happen again, whether they would be able to do the ſame Service now, unleſs they were better exerciſed and diſciplin'd at this day, eſpecially if thoſe that were ſent on this Deſign, ſhould be (as is moſt likely they would) old experienced Soldiers.

[1.] *Stow.* p. 235.

The King hearing the News of the *French* Hoſtilities, declares to the *Pope's Legates*, that He would never deſiſt till He had fought the *French*.

The [1] News of theſe *Hoſtilities* of the *French*, and eſpecially of their late barbarous Actions at *Southampton*, being brought to the King of *England*, then in *Brabant*, it ſo far provoked Him, that He declared to the Pope's Legates beforementioned, who were then preſent perſwading Him to Peace, That He would never deſiſt till He had met with and fought theſe Invincible *Frenchmen*. This the King ſaid in Raillery, becauſe Cardinal *Bertrand* had juſt then ſpoke with great contempt of his Power, and made it a thing almoſt impoſſible for Him to enter the *French* King's Dominions without a Battel.

[2] *Froiſſ.* c. 39.

[3.] Chron. Rob. *Aveſ.*

The K. comes to *Cambray*, and lays ſiege to it, where the Duke of *Brabant* comes to His aſſiſtance.

But to come to ſomething more material: The [2.] next day after this, He departed from *Mechelen*, and went to *Bruſſels*, and thence to *Valenciennes*, where after a day or two's ſtay, on the Nineteenth of *September*, He marched to *Cambray*, which [3.] He preſently inveſted with His Army: Within a few days came thither to Him the young Earl of *Haynault*, and the Lord *John* of *Beaumont* his Uncle, with a Strong Force, and Six days after the Siege began, the Duke of *Brabant* openly declar'd himſelf for King *Edward*, and came to His Aſſiſtance with Nine Hundred Lances. During this Siege, there were many Skirmiſhes and Aſſaults, but all to no purpoſe: [4.] For *John* Duke of *Normandy*, eldeſt Son to the King of *France*, being admitted by the Biſhop, had put himſelf into it with Five Hundred Freſh Men. The City prov'd too ſtrong to be taken by any other means than Starving; ſo that after ſome brisk Aſſaults which proved in vain, [5] K. *Edward* asking the Advice of the Ld. *Robert* of *Artois*, and the *Engliſh* Nobles that were with Him, they all agreed, that it was in vain to waſt this Noble Army upon ſo difficult an Enterpriſe; but rather, by marching into the K. of *France*'s Territories, to do ſomething worthy the great Charge and Expence they had been at.

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[4] *Mezeray Ann.* 1339. *John* Duke of *Normandy* puts himſelf into the Town with 500 freſh men.

[5.] *Froiſſ.* ib.

In complyance with this Advice, [1.] the King order'd His whole Army to diſlodge, and having burnt and deſtroy'd the Country of *Cambreſis*, paſſed over the River *Skelle*, and enter'd the *French* Territories, burning the Country before Him. The Earl of *Haynault* left the King, pretending he was ſent for by K. *Philip* his Uncle; and that as he had aſſiſted the Former whilſt He was within the Bounds of the Empire, ſo he was obliged to ſerve the Latter in *France*. Then he, with the Earl of *Namur*, taking their leaves, return'd back into *Haynault* with their Forces. In the mean while, the K. of *France* being ſtill at *Campaigne*, ſent Orders to the Earl of *Ewe* Mareſchal of *France*, and other His Governors of the Frontiers, to defend them well againſt the Enemy, whilſt He Himſelf went to *Perrone*, intending there to make His Rendezvouz. Then, after a ſhort Truce of about Four Days, in order to a Treaty of *Peace* propoſed by the Duke of *Brabant*, which had no effect, the King proceeded ſorward into *France* thro' the Country of *La Tieraſche*; the *Engliſh* Army being divided into Three Batallions, marched in Three diſtinct Lines, deſtroying the Country, and taking and burning ſeveral Conſiderable Towns, without any Reſiſtance from the *French*, tho' King *Philip* lay near St. *Quintins* with an Army of above a Hundred Thouſand Men.

[1.] Id. ib. *H.K.* Col. 2574. The King finding the Place too ſtrong to be taken, quits the Siege, and marches into the *French* Territories.

The K. enters *France*, and burns and ſpoils the Country in His March.

Thus [2.] King *Edward* continued in *France* about Five Weeks, and ſo ravaged the Country with His Armies, that in a manner all the Lands of *Cambreſis*, *Vermandois*, *Tieraſche*, and *Laonois*, and other *Ports* of *Picardy* and *Artois*, were wholy waſted, except ſome few *Places* which had ſworn Allegiance to Him; as alſo Churches and Monaſteries, or ſuch Caſtles which were too ſtrongly fortified to be taken: So that the Inhabitants of the Country fled on all ſides, without making any Reſiſtance. [3.] Then the King having paſſed from *Morevile* to *la Flamenguere*, there encamped, being above Forty Thouſand ſtrong. In the mean while, King *Philip* was removed from St. *Quintin* with all His Army, and was gone to *Vironfoſſe* in *Cambreſis*, where He ſtayd ſome time, (His Forces daily increaſing) and then reſolved that He would not ſtir from thence till He had fought with the King of *England* and His *Allies*. And [4.] to this end, on the *Monday* following, the Chief Commander of the *French* King's Croſs-bows ſent Letters to one *Hugh de Geneva*, (a Gentleman in King *Edward*'s Army) deſiring him to give his Maſter notice from K. *Philip*, That if He would chuſe any open Place, not incumber'd with Woods or Bogs, He would give Him Battel before *Thurſday* next: Which was alſo confirm'd by

[2] *Stow* ib. The K. ſtays in *France* near Five Weeks, and lays waſt many Counties.

[3.] *Froiſſ.* ib. Cap. 40.

The *French* K. being come to *Vironfoſſe*, reſolves to fight K. *Edward*, and to that end ſends a Challenge to give K. *Edward* Battel.

[4.] *H. K.* Col. 2575.

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by another Meſſenger, in a Letter under the Seals of the King of *Bohemia* and Duke of *Lorain.* Yet for all this, the King of *France's* Heart fail'd Him, and He declin'd coming to a Battel, as you will find by and by.

[5.] Id. ib
The two Armies face each other, K. *Edw.* ſends *Philip* a Challenge to fight His Army, who accepts it, and appoints the Day of Battel.
Froiſſ ib 41.
Du Cheſne l. 15. p. 648.

[1.] *Froiſſ.* ib. Cap. 42.

Moſt of the *French* Counſellors oppoſe Fighting, and their Reaſons why.

[2.] *Du Cheſne* p. 649.
Robert King of *Naples* ſends to K. *Philip* to decline Fighting with the *Engliſh*, and His Reaſon

In [5] the mean while, the two Armies were now advanced within a League of each other, and whilſt they lay thus encamped in this *Champaigne* Country, facing each other, King *Edward* was adviſed by the Duke of *Brabant* and other Great Lords in a Council of War, That in order to put this Difference to the Deciſion of a Battel, He ſhould, by a Herald, ſend the King of *France* a Challenge, to fight His whole Army on what day He would pleaſe to appoint. The Herald being ſent, and having done his Meſſage accordingly, King *Philip* accepted the Offer, and appointed *Friday* the *Twenty Second* of *October* to be the Day. In the mean while, the Princes and Great Men, together with the Armies on both ſides, had notice to prepare themſelves for this Great Encounter. When, on the Day appointed, both Armies being drawn out ready to fight, and the *Engliſh*, in Three Battallions, were already marched into the Field, and that every body expected a Bloody Battel would enſue; [1.] it began to be again debated that very Morning in the King of *France's* Council of War, Whether it were beſt to give the *Engliſh* Battel, or not? Many of His Counſellors wiſely maintaining that it was not ſafe ſo to do, ſince if they loſt the Day, the Crown of *France* would be in great Danger: Whereas if the Enemy were beaten, neither King *Edward*, nor any of His Allies, would thereby loſe any Part of their Dominions. But whilſt this Matter was in diſpute, and the *French* Army ſtood drawn out ready to fight, expecting only the Signal of Battel, at that very Inſtant there [2.] arrived Letters from *Robert* King of *Naples* and *Sicily*, to the *French* King, wherein He adviſed Him to decline Fighting at that time: For, being a Great Aſtrologer, He pretended to diſcover by the Stars, either by Calculating the Nativity of theſe Princes, or by ſome other way, that if the *French* King ſhould now fight with King *Edward*, (being there in Perſon) He muſt expect to be overcome; and that He ſaw many ſad Conſequences which would fall on the Realm of *France* by ſo fatal a Miſcarriage.

Whereupon K. *Philip* and His Counc. reſolve not to fight, and then the *French* retreat to their Camp.
[3.] *H. K.* Col. 2575.

Whether this Advice was well grounded or not, I ſhall not determine; but this is certain, that it then had ſo powerful an Effect as proved abſolutely deciſive to the King of *France's* Council, not to fight at all. Whereupon [3.] King *Philip* immediately gave Orders to His Army to retreat to their Camp, which being encompaſſed with a Ditch, and they having alſo cut down many Trees in the way, to hinder the Approach of the *Engliſh*; the *French* King, that Night, privately decamped, and marched off another way in to the Borders of *Flanders*. But King *Edward* was wholy ignorant of it, by reaſon of certain *French* Scouts that were taken, who gave Him falſe Intelligence on purpoſe; ſo that the *Engliſh* Army was drawn out in order to fight, not only on the *Friday*, but *Saturday* following: Who then, ſeeing there was nothing to be done, removed their Camp, and marched off towards *Aveſnes* in *Haynault*.

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And in the mean while, [4.] King *Philip* being come to St. *Omers*, from thence gave Orders for the placing His Men in ſeveral Gariſons in *Flanders*, eſpecially at *Tournay*, *Lyſle*, *Doway*, and other Towns bordering on the Empire; and then having ſetled His Affairs, and diſmiſſed the reſt of His Forces, Winter drawing on, He returned to *Paris* with the Reputation of more Caution than Courage, conſidering the great Brags He had made, that He would Fight the K. of *England* ſo ſoon as ever He ſhould ſet His Foot in *France*. Yet immediately after His Return to *Paris*, He began to be diſpleaſed at Himſelf, becauſe He had thus declin'd a Battel: But the Lords of His Council wiſely told Him, ‘That He had not at all prejudiced His Honour, ‘ſince He had courageouſly ſought out His Enemy, and faced Him ‘boldly many days; and had made Him quit His Realm, without any ‘great Advantage gained. And they further added, That He muſt ‘be forced to make many Great and Expenſive Campaignes, before ‘He could be able to Conquer any thing in the Kingdom of *France*; ‘unleſs the *Frenchmen*, by their own Heat and Raſhneſs, would give up ‘their Country. This Advice proved true enough in the Sequel; tho' at the ſame time the Sword-Men highly blamed the King's Conduct, that for the Opinions of a few Grey-headed Old Men, and the Pannick Fears of a Star-gazing King, He had loſt one of the faireſt Opportunities that could ever be expected, of Beating the K. of *England* and all His Allies quite out of *France*: And they ſeemed to have Reaſon on their ſide. For *Philip* had not only Three Kings with Him, *viz.* *John* of *Luxemburgh* King of *Bohemia*, *Charles* King of *Navarre*, and *David* King of *Scotland*, of whom, the two former brought conſiderable Forces along with them; But, beſides theſe, there were no leſs than Five Dukes, Thirty Six Earls, Four Thouſand Lords and Knights, and above Sixty Thouſand *French* Common-Soldiers; which, together with the Forces of the Princes His Allies, made in all above a Hundred Thouſand Fighting Men; whereas the *Engliſh* Army did not conſiſt of Fifty Thouſand in the whole. So that it is evident, the *French* King had very much the Odds of K. *Edward*, had He then joined Battel with Him; but what the Succeſs had been, God only knows.

[4.] *Froiſſ.* ib Cap. 42.

K. *Philip* having put His Men into Gariſons in *Flanders*, returns to *Paris*.

The King of *France* being diſcontented at His not Fighting, is comforted by His Councellors.

The Military-Men are much diſcontented at the King's not Fighting.

The many Kings, Princes, and other Forces the K. of *France* had then with Him, far exceeding the *Engliſh* in Numbers.

I muſt here tell you, [1.] before I proceed further, that not long after the King's Return into *Brabant*, the Pope wrote Him a civil Letter, ‘Wherein He expreſſes His Satisfaction, that when lately the ‘Armies of the Two Kings were ready to engage, yet no Battel ‘enſued; and attributes the Cauſe of their not Fighting, as an Effect ‘of the Dvine Clemency, for the ſparing the Effuſion of Chriſtian ‘Blood: And then, after many ſerious Reflections on that and the Miſeries of War, He conjured Him, by the Mercy of God, to think ‘on a final Peace, and in the mean while to conſent to a longer Truce, ‘which He had order'd His Legates the Cardinals of St. *Praxedes* ‘and St. *Mary* in *Aquiro* (had appointed for that purpoſe) to ‘propoſe to Him; and ſo a War being prevented, He wiſhes the Bond ‘of Peace and Charity, as well as that of Blood and Affinity, to be ‘again cloſely knit between the Two Kings. And further, if what ‘thoſe Cardinals ſhould propoſe could not procure that Bleſſed Iſſue, He ‘deſires, that Himſelf (tho' taken up with many other Cares) might ‘afford His own Perſonal Mediation, for a happy End and Compoſure ‘of

[1.] *T. W. ad Ann* 1336. *ſed falſò.* *Oderic Rayn. ad hunc Ann.*

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‘of all Differences; and ſo concludes with His Requeſt of a ſpeedy ‘Anſwer. Dated at *Avignon* X. *Kal. Jan.* (or the Twenty Third of *December.*) To which the King did, not long after, return His Holineſs an *Anſwer* to this effect.

[2.] Id. ib.

‘In the [2.] firſt Place, He gives Him His moſt humble Thanks ‘for the Mediation He had offer'd, not only by the Cardinals His Legates, but alſo in His own Perſon; and for the Care and Affection ‘He ſtill expreſſed for all His Spiritual Sons: and that He ſhould moſt ‘readily perſue His wholſome Admonitions, were it not that His *Adverſary Philip* had unjuſtly uſurped the Crown of *France*, lawfully ‘devolved upon Him after the Death of His Uncle *Charles*, the laſt ‘King thereof: That He had ſeiſed on *Aquitain*, and invaded the ‘Kingdom of *England* with His Fleet, which He ſet forth under ‘a Colour of a Voyage to the *Holy Land*; and had likewiſe excited the ‘*Scots* to rebel againſt Him: and tho' He offer'd Him divers reaſonable Conditions of Peace, yet He had hitherto met with nothing ‘from Him but Fraud and Delays, that He might thereby put Him to ‘the more Charges, and (if it were poſſible) quite exhauſt His Treaſure. ‘He therefore beſought His Holineſs to excuſe Him, if He ſhould endeavour to recover His juſt Rights, by the Help of God. And altho ‘the Kingdom of *France*, that had been demanded by His *Ambaſſadors* ‘before the Cardinal-Legates who had earneſtly and laudably labour'd ‘in the Great *Affair* of the Peace; yet He could never obtain a tolerable *Anſwer*, So that none could tell what He deſign'd to do or offer. ‘And then concludes with an *Appeal* to God, that He deſired nothing ‘more than to promote and defend the Honours and Liberties of the ‘Church; and that if God ſhould proſper His *Arms*, He hoped to turn ‘them againſt the Enemies of the Chriſtian Faith. Theſe Letters, tho not having any Date or Place expreſſed in *Walſingham*, as appears from *Odoricus Raynoldus*, they were written about the latter end of the preſent, or beginning of the enſuing Year, from *Antwerp*; however *Walſingham* is very much out, in placing them under the Year 1336; whereas, it is plainly evident, that they muſt have been written about this time.

[3.] *Froiſſ.* ib. K. *Edward* diſmiſſes His Foreign Forces, and returns to *Antwerp* with the reſt of His Army.

* Rot. Pat. 13 *Ed.* 3. m. 3. He iſſues a Commiſſion to the ABp of *Canterbury* and ſeveral other Biſhops and Noblemen to treat of a Peace with certain Commiſſioners to be appointed by the K. of *France*.

I ſhall now return to the Hiſtorical Part of this Relation. When K. *Edward* ſaw that the *French* had thus left the Field, [3.] He thought He might without any *Diſhonour* do the ſame; ſo having diſmiſſed the *German* Princes with their Forces, becauſe the Winter was now pretty well advanced, He returned with the reſt of His Army to *Antwerp*, where He had left His Queen: And upon His coming thither, to ſhew that He had ſtill Inclinations for Peace, He iſſued out His * Commiſſion to *John* Archbiſhop of *Canterbury*, *Richard* Biſhop of *Durham*, *Henry* Biſhop of *Lincoln*, *William* Earl of *Saliſbury*, Sir *Bartholomew Burgheſh*, and Sir *Geoffry le Scrope*, Knights, and *John Vfford* Archdeacon of *Ely*; to treat of Peace with *Philip* of *Valois*, (as He is called in the Commiſſion) or with Commiſſioners from Him. And a Month after, on the Sixteenth of *December*, the ſaid Commiſſion was renewed, upon adding *Robert* Earl of *Suffolk* to the forenamed Commiſſioners. I do not find any effect of theſe Treaties, therefore ſuppoſe, they came to nothing.

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The King reſolves to ſend for Prince *Edward* over to Him, who had held a Parl. during His Abſence, and what was done there.

The King, intending to keep His *Chriſtmaſs* at *Antwerp*; the more to adorn the [1.] Solemnity, reſolved to ſend for His Eldeſt Son *Edward*, Duke of *Cornwal* to come over to Him; this young Prince being now about ten years of age, having been (as I have ſaid) his Father's Guardian of the Kingdom, or Lieutenant during His Abſence, had held a * Parliament on the Thirteenth of *October* at *Weſtminſter*, where having had an expreſs *Commiſſion* for it from the King his Father, at the beginning of it the Cauſes were declared to be three; *Firſt*, 'To take care 'that there be a ſtrict Obſervation of the K's *Peace*: *Secondly*, To provide 'for the Defence of the *Marches* towards *Scotland*, ſince that People being 'thereto inſtantly urged by King *David*'s Letters from *France*, and the 'promiſed Aſſiſtance of the *French* King, began to make freſh Stirs, not'withſtanding the late Truce. And the *Third* Reaſon was, for the bet'ter guarding the Seas. To all which was added a demand of a Supply 'for the King in His Wars.

* Rot. *Parl.* 13 *Ed.* 3. pars. 2. m. 28. Vid. *Cotton's* Records, p. 17.

* Id. pars 1. n. 4.

The ABp of *Canterbury* ſets forth the K's Great Actions abroad, and the great want He was in of a liberal Supply.

* After this the ABp of *Canterbury*, who together with *Richard* Bp of *Durham*, and Sir *Michael de la Poole* came lately from beyond the Seas, as the King's Meſſengers to the Parliament, made a Narration of the great Actions which He had lately done in *France* and *Flanders*, and the preſent hazards both He and His Men were expoſed to for want of more liberal and ſpeedy Supplies out of *England*: It was alſo further declared, That the King, and others for Him, to procure the aſſiſtance of His Allies, and for the neceſſary Expences of this War, ſtood bound in Three hundred thouſand Pounds, and till this Sum was paid, the King could not in honour depart thence: Upon the hearing of all which, it was unanimouſly agreed and granted by the Great Men, that they would give Him the *Tenth Sheaf* of all the *Corn* of their *Demeſnes*; as alſo the *Tenth Fleece* of *Wool*, and the *Tenth Lamb* of their own Stock, to be paid in two Years, deſiring withal, that the *Maltolt* (or illegal Duties) ſet upon *Wool* ſhould be revoked, and that this Grant ſhould not turn into a Cuſtom: But the *Commons* would not then proceed ſo far, (I ſuppoſe not having the Conſent of thoſe who had elected them) tho they declared themſelves very forward to aſſiſt the King; yet pray'd the Duke of *Cornwal*, That he would ſummon another * Parliament in a Convenient time, that in the mean while they might go into the Countrey, to endeavour to have an Aid granted anſwerable to the King's Neceſſities: And they farther pray'd, That two Knts. of the beſt Eſtates ſhould be choſen in that Parliament; and accordingly * Writs were iſſued out on the Sixteenth of *November* for another Parliament, to meet eight days after St. *Hillary* next, being the Twentieth of *January* enſuing.

The Nobility agree to grant the K. a great Tax upon Corn and Wool, but the Commons refuſe till the next Parl.

* Id. n. 6.

Writs iſſued out for another Parliament.

* Rot. *Scot.* 13 *Ed.* 3. p 2. m. 1.

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[4.] *Cotton's* Abridg ib. p. 19.

The Prince being now gone over to his Father, the Parliament is held by Six *Commiſſioners*. Then adjourn'd.

At which time, Prince *Edward* being gone over to his Father at *Antwerp*, there were appointed Six *Commiſſioners* to hold this *Parliament* in his ſtead, *viz.* [4.] the ABps of *Canterbury* and *York*, and four Juſtices of the *King's-Bench* and *Common-Pleas*; theſe, or any two or three of them were ordered by the King's Letters Patents to hold this *Parliament* in the Name of the King and His Son, the Lord Guardian of *England*, and were thereby impowered to do all things which either he or the King Himſelf could have performed.

Theſe *Commiſſioners* being met at the day appointed, cauſed ſeveral of the *Lords* and *Commons* to aſſemble in the *Preſence Chamber*, but becauſe many of both *Houſes* were not yet come up, they adjourn'd the *Par*

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At their meeting the Cauſes of the Parliament are declared. They grant the K. thirty thouſand Sacks of Wool.

liament from day to day till *Monday* next after their meeting; And then the *Houſes* being full to do Buſineſs, the Cauſes of the *Parliament* were declar'd to be the ſame as before; namely, for granting the King an Aid for keeping of the Seas, and for the defence of the *North-Marches*; whereunto the *Commons* required time till *Saturday* the 19*th* of *February*, and then they unanimouſly granted to the King for an Aid Thirty thouſand Sacks of *Wool*, on certain Conditions expreſſed in a pair of *Indentures* made thereupon; but as for the *Clergy*, they gave nothing now, becauſe in the Eleventh Year of His Reign, they had given a *Tenth* for three Years, not yet expired, towards His War with *France*, and to pay His Foreign Soldiers.

* Ibidem. The Merchants and Owners of Ships to bear half the Charge of Tranſportation.

* As for the Merchants and Owners of Ships, they themſelves were to bear half the Charges of the tranſporting theſe *Wools*, the other half the Council promiſed to pay out of their own Good-wills to their *King* and *Countrey*, but not of Duty, or that it ſhould ſtand for a Precedent: The Mariners of the *Weſt* promiſed to ſet forth Ninety Sail, and Ten of them of the Burthen of One hundred Tun or more, and to bear the whole Charge, if they could.

This I take notice of, that ſo the Reader may ſee what ſort of Ships the Navy of *England* then conſiſted of, and how it was for the moſt part raiſed, *viz.* either of the Ships of ſuch Merchants or Owners who were hired out for the *King*'s Service, or elſe were found by the *Cinque-Ports*, according to the ſeveral number of Ships each of them were rated at in thoſe Days, when the Kings of *England* had but few Men of War of their own.

* Ibid. The Parliament take order for guard of the Seas, and chuſe who ſhould be Admirals, and then is diſſolved.

* Then the *Parliament* having taken Order for the Guard of the Seas, and that *Richard Fitz-Alan*, Earl of *Arundel*, ſhould be Admiral of the Ships belonging to *Portſmouth*, and the other *Ports* of the *Weſt* for the guard of that *Coaſt*; and that the Ships of *Thames* and the *Cinque-Ports* ſhould lie at *Winchelſey* under the command of *William Clinton* Earl of *Huntington*; and that the whole Fleet ſhould be ready before *Lent*; and had alſo taken care for the defence of the *Marches* in *Scotland*, and of the *Northern* Counties, as likewiſe of the Iſle of *Wight*, (I ſay) when theſe things were ſetled and agreed on, the Parliament was diſſolved.

[5.] *Froiſſ.* ib. c. 43. The K. leaves *Antwerp* and goes to *Bruſſels* to meet the Confederate Princes; with their Advice to Him.

We ſhall now look back into *Flanders*, and ſee what the King hath been doing there in the mean while. Preſently after *Chriſtmaſs* [5.] the *King* leaving *Antwerp*, went to *Bruſſels*, where was held a *General Aſſembly* of the *Princes* and *Lords* that were His *Allies*, who adviſed Him to obtain the Aſſiſtance of the *Flemings*, that they ſhould march whither He would lead them, in defiance of their Earl and the King of *France*, who had lately diſmember'd *Liſle*, *Doway*, and *Bethune* from *Flanders*, to reunite which King *Edward* was adviſed to promiſe the *Flemings* He would uſe His utmoſt endeavour.

[1.] Id. ib. *Jacob Van Artefeld* comes to K. *Edward* with a noble Retinue; and procures *Gaunt* and other Towns to ſend Deputies to Him.

Then at the [1.] King's Requeſt *Jacob Van Artefeld* did not only come thither in perſon (with a Retinue like an Earl) but he alſo procured the City of *Gaunt*, and other Cities and Towns of *Flanders*, and the *Low Countries*, to ſend their Deputies to the ſame place; And as for thoſe of *Flanders*, when the King had made them the Offer beforementioned, they after ſome Conſultation return'd an Anſwer to this effect by *Jacob Van Artefeld*, who contrived it, *That they were very well pleaſed with the Propoſal, and as willing to comply with it, if they might do it without*

Loſs or Diſhonour, [2.] *and were it not that they were obliged both by Oath, and under a Bond of two Millions of* Florens *of Gold to be paid into the* Pope's *Treaſury, never to take up Arms againſt any Lawful King of* France; *which* Forfeiture *not only kept them in awe, but alſo the fear of being* interdicted *by the* Pope, *if they wilfully ſhould break the Oath they had made to Him:* But *Jacob* then farther aſſured the King, that if He would take upon Him the Title and Arms of the King of *France*, and quarter them with His Own, they, the *Flemings*, would not only look upon Him as true King of that Realm, againſt whom they were not to make War, but would alſo reſt ſatisfy'd with His diſcharging them from the ſaid Bond, nor would they after that value the Pope's *Interdict*, if He ſhould inflict it upon them, but would at any time be ready to obey all His Commands.

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[2.] *John Villani.* Hiſt *Ital.* L 11. 108. *A.* p. 650.

The *Flemings* being afraid to take up Arms againſt *France*, *Jacob Van Arteſeld* finds out an Expedient to excuſe them.

Thus did *Jacob Van Arteſeld* by this Subtile Expedient ſatisfie the reſt of the Deputies, of the Juſtice of taking part with King *Edward* againſt *France*, notwithſtanding all their Solemn Engagements to the contrary: yet at firſt the King demurr'd to agree to this Propoſal; for tho He believed He might lawfully claim the Crown of *France* in Right of His Mother Queen *Iſabell*, yet He thought it not much for His honour to take upon Him the Arms and Title of that Kingdom before He had made a Conqueſt of ſome part of it, not being ſure whether ever He ſhould be able to ſucceed in His Deſign or not; yet on the other ſide, He was very loth to refuſe the *Flemings* their Requeſt, ſince their Aſſiſtance might prove very ſerviceable to Him: wherefore [3.] He adviſed with the Dukes of *Brabant* and *Guelders*, the Earl of *Juliers*, and other Earls and Lords His Confederates, as alſo with the Noblemen of *England*, that were then with Him, concerning it; who all agreed, that He ſhould by no means refuſe the Requeſt the *Flemings* had made Him. Whereupon the King return'd them this Anſwer, That if they would ſwear and engage to ſerve Him upon all Occaſions in this War, He would then readily do all that they deſired, and in juſtice He might; and further undertook to reſtore them, thoſe three Cautionary Towns of *Liſle*, *Doway* and *Bethune*, which had been delivered up as Pledges of their Faith to the *French* King. [4.] To this the *Flemings* having unanimouſly agreed, the Three and twentieth of *January* was appointed for the day when theſe Covenants and Conditions ſhould be ratify'd at *Gaunt* by both Parties: Accordingly King *Edward* coming thither in Perſon, was met by all the Deputies of the Towns of *Flanders*, and then the ſaid Articles being reduced into Writing, both His Majeſty and they interchangeably put their Seals to them, **and thus the King firſt took upon Him the Title and Arms** of *France*. And further it appears (as* *Speed* hath very well proved in his Chronicle) that the King at firſt quarter'd the Arms of *England* before thoſe of *France* in His Court of Arms and Seals; tho afterwards, perhaps, the more to ingratiate Himſelf with the *French* Nation, He placed the *French Flower-de-Liſes* before the *Engliſh Lyons*; and about this time He placed this *French Motto* under His Shield, *Dieu & Mon Droit*; in *Engliſh*, *God and my Right*: Declaring thereby His Confidence to be only in God, and the Juſtice of His Cauſe: Which Motto, together with the Arms of *France*, hath been continued by all the Kings of *England*, His Succeſſors, even down to this day.

[3.] *Froiſſ.* ib.

The King by the Dukes of *Brabant* and *Guelders* accept of the *Propoſal* of the *Flemings*.

[4] *J. Vil.* ib. *Odoric Raynold. Ad hunc Ann.*

The Covenants between King *Edward* and the *Gauntois* are mutually ratify'd.

* P. 572.

[5.] H. K. col. 2576.
K. *Edw.* comes to *Gaunt*, and is acknowledg'd for K. of *France* by the *Flemings*.
[6.] *Froiſſ.* ib. c. 44.
* Rot. Franc. 14 *Ed.* 3. m. 1.
He iſſues out a *Declaration*, ſetting forth His Right to that Crown, directed to all the Subjects of *France*.

So Soon as the King had taken upon Him the Title of *France*, [5.] He found the Contrivance of *Jacob Van Arteſeld* fully to anſwer his Expectation; for when He came to *Gaunt* in the beginning of *February*, all the People of *Flanders* acknowledged Him for true and Rightful King of *France*, and did Him *Homage* as to their Superior Lord.

In [6.] the late Aſſembly at *Bruſſels* it was reſolved, that the War of *France* ſhould begin with the Siege of *Tournay*; and therefore to prepare the Minds of the *French* for it, as well as to lay open to them His Right to that Kingdom, * King *Edward* iſſued out His Declaration by way of *Letters Patents*, dated from *Gaunt*, and directed to the *Prelates*, *Peers*, and *Commons* of *France* to this effect:

'That *Charles*, late King of *France*, His Mother's Brother, being 'dead, the ſaid Kingdom was devolved to Him by manifeſt Law and 'Right of Inheritance, and that *Philip* of *Valois*, Son to the Uncle of 'the ſaid King, had by Violence and Injuſtice intruded into it during 'His Minority, and even yet wrongfully detains it; leſt therefore He 'ſhould ſeem to neglect His Own Right, He now thought good to own 'the Title of King of *France*, and to take upon Him the Defence and 'Government thereof; and then declares He would be very gracious 'to the Good and Obedient, and do Juſtice to every one ac'cording to the laudable Laws and Cuſtoms of the Kingdom; 'That He would reform all things that were amiſs, and add, according 'to the Condition of the Times whatever was beſt and moſt expedient 'for them, *by Aſſent of the Peers, Prelates, and Great Men, and His 'other faithful Subjects.* Then He concludes, That having offered 'the ſaid *Philip* divers Amicable Conditions of Peace, and He refuſing 'to come to any Terms of Condeſcenſion, King *Edward* thought He 'was neceſſitated to defend Himſelf, and recover His Right by Force 'of Arms: And therefore all ſuch Subjects as would ſubmit to Him, as 'true King of *France*, by *Eaſter* then next enſuing, ſhould be received 'into His Royal Grace and Protection. This was dated at *Gaunt*, the *Eighteenth* of *February*, being the *Thirteenth* over *France*, and the *Fourteenth* over *England*. Here, by the way, you may obſerve, that the Stile of *France* is ſet firſt, and the Title of Duke of *Aquitain* omitted; it being now merg'd in the more General Title of King of *France*. This is the Sum of theſe Letters, which the King cauſed to be ſent to the Frontiers of the *French* Dominions, and to be fixed upon the Doors of divers Churches, and in other Publick Places. Theſe Letters are ſomewhat long, and thoſe that are Curious may find them at large * in *Speed*'s Chronicle; and Dr. *Brady* hath given us the Effects of them in his Hiſtory, from *Walſingham*, without citing the Record. This is ſufficient to ſhew us, that the Kings of *France* did not, in thoſe days, pretend to a Power of diſpoſing of the Lives and Liberties of their Subjects, without the Conſent of the Great Council of the Kingdom.

* P. 572.

The King quarters the Arms of *France* in His Great Seal, and then goes into *England*.
* Rot. Clauſ. 14 *Edw.* p. 1. m. 42.

No ſooner had King *Edward* thus ſetled His Matters in *Flanders*, and cauſed His Seals to be changed, by ſuperadding to them the Arms of *France*; But finding it neceſſary for His Affairs, ſpeedily to return into *England*, to raiſe more Money of His Subjects to carry on the War, He left the Queen and Prince His Son at *Gaunt*, and * taking Shipping at *Sluice*, landed at *Orwell* near *Harwich*, on the *Twenty Firſt* of *February*. Where, as ſoon as He arrived, the firſt thing He cauſed to be Sealed with His † New Seal, were the * Writs directed to all the Sheriffs of *England*, to ſummon a Parliament to meet on the *Wedneſday* after *Mid-Lent-Sunday*, being the *Nine* and *Twentieth* of *March* next enſuing. Theſe were dated at *Harwich*, the *One* and *Twentieth* of *February*, being the day of His Landing.

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† Vid. *Fig. hujus ſigilli* Sanford Gen. Hiſt. p. 124.

Note; it appears by the Date of theſe Writs, in Caſe of *Abſolute Neceſſity*, a Parliament might be *then* called within leſs than *Forty Days*, though the *Vſage* is otherwiſe *now*.

* Rot. Clauſ. 14 *Ed.* 3. p. 1. m. 42. dorſ.

When the † Parliament met, the King order'd the Cauſe of their Summons to be declared, *viz.* 'For Granting Him a Great Aid, or elſe He ſhould be for ever diſhonoured, and His Lands as well on this ſide, as beyond the Sea, in great danger, if He ſhould loſe His Allies: And further, That He was in His own proper Perſon to return to *Bruſſels*, and ſtay there as a Pledge, until the Sum He was engaged for was all paid. But in caſe He ſhould have a ſufficient Aid, all theſe Miſchiefs would be prevented, and His Deſign (with the help of God) have a good Iſſue, &c. Wherefore, at His Requeſt, the Prelates, Earls, Barons, and Knights of Shires, having regard to the Miſchiefs aforeſaid, granted Him the Ninth *Sheaf*, *Fleece*, and *Lamb*, and the Citizens and Burgeſſes the *Ninth* Part of all their Goods, according to the true Value, for Two Years next coming; upon condition, He would conſent to the Petitions preſented to Him and His Council. The Archbiſhops, Biſhops, and Clergy, alſo granted the King a *Tenth* in their Convocations.

† Rot. Parl. 14 *Ed.* 3. P. 1. n. 567. *Cot.* Abridg. p. 22. *H.K.* Col. 2567.
The Cauſe of their Meeting.

† Then the Great Men and Commons made it their Requeſt, ſeeing the King had taken upon Him the Title of King of *France*, and added the *Flower-de-Liſes* to His *Arms*, that they might not be bound to obey Him as King of that Realm, nor that the Kingdom of *England* be put in Subjection to Him as King of *France*. He thereupon cauſed certain Letters-Patents to be paſſed under His Great Seal, whereby He declared, that it was not His Intention that *England* ſhould be any ways Subject to the Realm or Crown of *France*: and theſe He publiſhed for their greater Satisfaction. This the Reader may find printed in *Latin* in * Dr. *Brady's Appendix*, and is alſo to be ſeen in the Old Editions of our Statutes in *Engliſh*, to both which I refer you.

† Ibid. n. 9, 10.
The Petition of the Parliament, that they might not be ſubject to the Crown of *France*.

* N. 86.

I cannot here omit taking notice, that ſince the *Aids* * given in the laſt Parliament were not duly anſwer'd to the King by thoſe that had the Care thereof, certain Perſons were appointed to take the *Accounts* of Sir *William de la Pole*, Sir *John Charnel*, and others who had received the Money and Wools formerly given; and they had a Day aſſigned them to produce their *Accounts*; and in the mean while ſeveral Noblemen and Knights became bound for the *Accountants*, that they ſhould anſwer for what they had received. This deſerves our notice, becauſe it is the firſt Example I can find, that any Moneys given in Parliament were by them order'd to be accounted for to Perſons appointed by themſelves. I meet with little elſe done in this Parliament, * only that the Marquiſs of *Juliers* was now created Earl of *Cambridge*, with a Penſion of a Thouſand Pound *per Ann.* for His Good Service to the King.

* Rot. Parl. n. 11.

* *Vid. Cot.* Abridg. p. 23.

Then † on the *Thirtieth* of *May* next following, the King, before His Departure, iſſued out other Writs, being a Declaration, wherein He ſet forth His Intentions of going ſpeedily beyond Sea, for the Defence and Safety of His Kingdom, and the Recovery of His Own, and the

† Rot. Clauſ. 14 *Ed.* 3. P. 1. m. 23. dorſ.
The King ſummons another Parliament to meet after His Departure beyond Sea.

the Rights of His Crown: To which end He ſummoned another Parliament to meet at *Weſtminſter* on the *Wedneſday* after the Feaſt of the *Tranſlation* of St. *Thomas* the *Martyr*, (that is, *T. Becket*) which was the ‘*Seventh* of *July*; to be holden before His Son *Edw.*, Duke of *Cornwal* and Earl of *Cheſter*, whom He had conſtituted Guardian of ‘*England* in His abſence. And He therein not only publickly declared His Intention of going over, in the ſaid Writs of Summons, but ‘appointed the preciſe Day to be on the Thirteenth of *June*, that He ‘would paſs from *Orwell* in *Suffolk* into *Flanders*; [1.] and He had prepared a Fleet of about Forty Sail of Ships, that there lay ready for His Paſſage. Upon this Reſolution, the Archbiſhop of *Canterbury* (then His Chancellor) inform'd Him, That *Philip* of *Valois* His Adverſary of *France*, foreſeeing His Paſſage, had privately ſet a great Fleet of Men of War to encounter Him, in the Haven of *Sluice*, and adviſed Him to provide more Ships, and reinforce His Fleet, otherwiſe He might meet with great Danger in the Paſſage. But the King not giving any Credit to that Report, ſaid, *He would go, whatever came of it.* Whereupon the Archbiſhop quitted his Council, and taking leave, departed, and reſigned the Seal of his Office to Him. Then the King thinking better on the Matter, called to Him *Robert de Morley* His Admiral, and one *Crabbe* a famous Seaman, who upon His Enquiry, gave Him the ſame Information and Advice. *Walſingham* ſays, that the Duke of *Gueldres* gave the King the firſt notice of this great Fleet that lay in wait for Him. But which way ſoever the King received it, He preſently ſent for the Archbiſhop, and deliver'd the Seal again to Him: And having forthwith ſent Orders to the *Northern* and *Southern* Ports, and to that of *London*, He, within ten days, had got ready a brave Fleet, conſiſting of Two Hundred and Sixty Veſſels, and more Armed Men and Archers than He had need of.

[1.] Rot. Aveſ. C. 29.

The Archbiſhop informs the King that he was way-laid by the *French*, and adviſes Him not to go over, but the King does not believe him.

But upon further information, He reinforces His Fleet to 260 Sail.

When He was thus provided, on the *Two* and *Twentieth* of *June* He took [2.] Shipping at *Orwell*, attended by His Navy, and a ſufficient Number of Land-Soldiers And when it arrived upon the Coaſt of *Flanders*, near *Blank-Berg* and *Sluice*, they diſcovered a great many Sail of Ships. The King being told, they believed it to be thoſe the King of *France* had ſent out to intercept His Paſſage; He thereupon commanded the Lord *Cobham* and two other Knights to take Boat, and go privately on Shoar above the Place where the *French* Fleet lay, to view their Number and Strength: Who, upon their Return on Board, told the King, that the Enemy's Fleet conſiſted of about Four Hundred Sail, (as near as they could gueſs) and were Riding in the Harbour of *Sluice*, divided into three Squadrons. Then the King being reſolved to fight, order'd His Ships to caſt Anchor, in order to engage them the next Morning. Upon this, the *Engliſh* Fleet weighing Anchor ſtood out to Sea, to give the *French* leave to come out; tho', as their Writers relate, their Admiral would not let his Fleet quit the Harbour: But this does not ſeem probable; becauſe the *French* Ships were Superior to the *Engliſh* in Number; beſides which, the Haven was too ſmall for ſo many Ships to engage in: But be this as it will, [3.] the King commanding Himſelf in Perſon, order'd His beſt Ships that were well mann'd with Archers and other Soldiers to be ſet foremoſt in the Line of Battel; then having tack'd about to get the Weathergage of Wind and Sun, they boldly received the firſt Onſet. For

[2.] *Froiſſ.* ib. Cap. 51.
C. A. M.

The K. takes Shipping, and meets the *French* Fleet on the Coaſt of *Flanders*.
H. K. Col. 2577.

He thereupon reſolves to fight them.

[3.] *Froiſſ.* ib.

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For the *French* Admirals foreſeeing the Banner Royal of *England* diſplay'd on the Main-Top-Maſt of one of the Biggeſt Ships, they were ſatisfied that the King was there in Perſon; they therefore reſolved to do their utmoſt to rout His Fleet, and take Him Priſoner. So falling boldly upon the *Engliſh*, there began a Bloody Fight, firſt with a dreadful Shower of Arrows, by which the *Engliſh* Archers ſhooting farther, did much more Miſchief than the *French* Croſs-bows: The Shot being pretty well waſted, (for Guns either were not invented, or at leaſt not then uſed) the two Fleets came up to each other, immediately fell to Boarding, and made uſe of their Grapling-Irons for that purpoſe. The Men at Arms leaping into each others Ships, fell to handy-Strokes, whereby a moſt deſperate Slaughter was made, and that for a time with various ſucceſs, till at laſt the *Engliſh* gain'd the Advantage by retaking the Ship *Chriſtopher*, which the *French* had won from them the Year before. This Fight continued with much obſtinacy from Ten in the Morning until Seven at Night, when the *French* Ships (tho' almoſt as many more, and the Men four for one) were put to flight, their firſt Squadron being entirely defeated, and the ſecond ſo much ſhatter'd, that they could not get away. [4.] So that of their whole Fleet there did not eſcape above thirty Veſſels, which made all the Sail they could for the Coaſt of *France*: to purſue which, the King ſent forty Sail under the conduct of Sir *John Crabbe*, one of His Admirals; but we find nothing of their Succeſs, and therefore, I ſuppoſe, they could not overtake them. In this Fight there were killed at leaſt Thirty thouſand, of which about four thouſand might be *Engliſh*. This was the greateſt Sea-Fight that had ever happened on the Narrow-Seas, and the firſt as well as the laſt, in which a King of *England* commanded in Perſon; and the moſt conſiderable Earls and Barons of His Kingdom being likewiſe there, behaved themſelves very gallantly that day: As for the *French* Admirals, two of them were kill'd in the Fight, but the Third, called *Barbenoir*, a *Genoeſe*, eſcaped with thoſe that fled.

And the *French* Admiral reſolves to do his utmoſt to take Him Priſoner, and fall upon the *Engliſh*.

Who after a ſharp Engagement put the *French* Navy to Flight, and ſunk or took moſt of their Ships.

[4.] *H. K.* ib.

Indeed ſome of the *French* Hiſtorians tell us, that King *Edward* was then wounded in the Thigh with a Spear, and that in Revenge He hanged Admiral *Bahuchet* upon the *Main-Yard* of his Ship; but as for the manner of that Commander's death were it ſo, it was not for that, but (as *Mezeray* himſelf acknowledgeth) as a Puniſhment for thoſe Barbarities which he had either ordered or permitted to be done upon his landing at *Southampton*. And as to what relates to the King's Wound, it was ſo inconſiderable, that He Himſelf does not ſo much as mention it in His Letters, nor did it any way hinder Him in His Affairs. Yet ſome of our own [5.] Hiſtorians here relate, that the Admiral above-mentioned eſcaped alive from this Fight, and that the *French* loſt above Two Hundred Sail of Ships, ſome of which were very conſiderable, having been taken from the *Engliſh* before. I cannot here omit, that the *French* Writers lay the blame upon this Admiral *Bahuchet*, as having mann'd his Ships with Peaſants and Raw Soldiers, refuſing Mariners and Experienc'd Seamen, becauſe they required greater Wages. If this were true, he juſtly deſerved the Puniſhment King *Edward* inflicted on him, as being treacherous to his Maſter; but whether it were ſo or no, I will not diſpute: However, this evil Practice could not extend to the whole *French* Fleet, but

The falſe Relations of the *French* Hiſtorians confuted.

[5.] *H. K* ib.

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only to the Squadron which that Admiral commanded. But *Mezeray* lays the blame of this Defeat on the ill Underſtanding there was between the two *French* Admirals.

[1.] *Froiſſ.* ib.
K. *Edward* congratulated upon His Victory by the Burgeſſes of *Sluice* and *Bruges.*
[2.] Chron. Fran. *MS.*

King *Edward* having obtain'd ſo great a Victory, [1.] ſtay'd on board that Night and part of the next Day, till He received the Congratulations of the Chief Burgeſſes of *Sluice* and *Bruges* who came thither to him; [2.] but in the Evening He and all His Retinue went on Shore at *Sluice*: On which News His Queen went thither from *Gaunt*, to meet Him, and congratulate His Safety and Succeſs, and ſo return'd to the ſame Place. But the King, within two days after, went on foot in Pilgrimage to our Lady of *Ardenburgh*, (formerly a conſiderable Place in *Flanders*, tho' now ruined) to render her Thanks for His late good Succeſs; and here He took Horſe, and rode to *Gaunt*, which is about Four Leagues further: Where the Queen again received Him with great Satisfaction, and preſented Him with Her Fourth Son, of [3.] whom She had been delivered a few Months before; who, from the Place of his Birth, was called *John* of *Gaunt*, and made a Conſiderable Figure in our *Engliſh* Hiſtory, as you will find hereafter.

He goes on Pilgrimage to give Thanks to our Lady of *Ardenburgh*, and thence to *Gaunt*.
[3.] *T. W. ad An.* 1339.
The Birth of *John* of *Gaunt*.

Immediately after the King's Arrival there, He thought fit to ſend a Letter directed to the Biſhops and Clergy of *England*, giving them an Account of His late Victory by Sea, near the Haven of * *Swyne*, (for ſo that Port is called in our Old Hiſtorians) and deſiring them to return Solemn Thanks to God for the ſame. The Reader, if he be curious to ſee it, may find it at large in Mr. *Fox*'s † *Acts* and *Monuments*. This Letter was incloſed in another of the King's, directed to His Son the Prince, Guardian, who then reſided at *Waltham*.

* i. e. *Sluice.*

† Pag. 494. Edit. 1641.

Before I proceed further, I muſt give you a ſhort Account of what had paſſed beyond Sea, during K. *Edward*'s being here; and I ſhall firſt begin with *France*: [4] Where King *Philip* appointed the Count of *Laillè*, an experienc'd Officer, to march with a Conſiderable Army into *Gaſcoigne*, and there to take the City of *Bourdeaux* and what Places He could in thoſe Parts, which were but ſlenderly Gariſoned, by reaſon of King *Edward*'s Forces being then employ'd in *Flanders*: This was accordingly put in Execution by the Earl; who coming on the ſudden before *Bourdeaux*, [5.] Sir *Oliver Ingham*, the Governor, was much ſurpriſed to ſee ſo Great an Army there, at a time when he thought the *French* Forces had been otherwiſe employ'd; wherefore, not having Men enough with him to defend the Town againſt an open Siege, he had no way left to do it but by a Stratagem, which was thus: Knowing that the Citizens were very well affected to the *Engliſh* Government, he commanded them to put up the *French* Colours with *Flower-de-Liſes* over the Gates, which were alſo ſet wide open, as if the Citizens had actually declared themſelves for the *French*: They ſeeing all things in ſo quiet a Poſture, verily thought the City had been their own; (ſuppoſing the *Engliſh* Gariſon were either fled or made Priſoners) and ſo enter'd the Town, headed by their Commander. But ſo ſoon as they were got into the middle of it, the Governor, who had conceal'd his Soldiers in their Houſes, (being about Five Thouſand Men at Arms) ruſh'd out ſuddenly upon them, and, join'd by the Townſmen, made a great Slaughter of the *French*, their Commander himſelf hardly eſcaping. This News being brought to

[4] *Froiſſ.* ib. Chap. 44.
K. *Philip* ſends the Count *de Laillè* into *Gaſcoigne*, to take the City of *Bourdeaux*; but was prevented by a Stratagem.
[5.] *T. W.*

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King *Edward* then in *England*, He thereupon wrote to the Citizens of *Bourdeaux* a Letter of Thanks; wherein extolling their Loyalty, and the Greatneſs of the late Service they had done, He promiſed to reward it by His Royal Bounty. And thus this City was wonderfully ſaved from the *French*. I ſhall ſhew you likewiſe, what hath been done in *Flanders* and *Haynault*, during the King's Abſence in *England*; ſince it ſeems to give Light to the preſent State of Affairs in thoſe Parts.

[2.] *Froiſſ.* ib. c 45.

K *Philip* upon Complaint of the *ABp* of *Cambray*, orders His Forces to make War upon the Earl of *Haynault*. Which is revenged by the Earl in taking the Town of *Aulinton*.

[2.]Not long after King *Edward*'s Departure for *England*, the ABp of *Cambray*, being then at *Paris*, complain'd to King *Philip* that the *Hainalders* had done him great Damage, having lately deſtroy'd and over-run his Countrey, and that *John* Earl of *Haynault* was an open Enemy to *France*, and the Earl his Nephew a private Friend to *England*; whereupon King *Philip* preſently order'd the Gariſons in *Cambreſis* and about *Tournay* to be drawn out, making about ſix hundred Men at Arms, who were joined with a Detachment of *Germans*; theſe marched to the Town of *Haſpre* in *Haynault*, which they ſurprized, plunder'd and burnt, without ever declaring any War: At this Cruel Action the young Earl being highly provok'd, vowed Revenge, and raiſing a ſufficient Army, marched againſt the Town of *Aulinton* in *Tyerache*; but they having notice of their coming, the Townſmen thought they had ſufficiently provided for their own defence, tho it ſeems to little purpoſe; for the Earl ſitting down before it with his Army, took it by Storm, and put moſt of the Gariſon to the Sword, and having done the like there as the *French* had to his Town, he marched away with a great deal Booty.

[2.] Id. ib.

The *French* King orders His Son the Duke of *Normandy* to make another Incurſion into *Haynault*.

Upon King *Philip*'s Complaint againſt the *Flemings*, they are excommunicated by the *Pope*, whereupon K. *Edw.* ſends over ſome *Engliſh* Prieſts to ſing Maſs to them.

The *Flemings* under *Jac. Van Arte.* reſolve on the ſiege of *Tournay*, but are diſappointed by the taking Priſoners of the Earl of *Salisbury* and Lord *Vfford*, going to their aſſiſtance.

When [2.] the *French* King had received the News of this Action, He commanded His Eldeſt Son, *John* Duke of *Normandy*, to make a brisk Incurſion into *Haynault*, and to haraſs and deſtroy the Countrey, and revenge the Miſchief which the *Haynalders* had done; but ſince it required ſome time for the Duke to raiſe an Army fit for that purpoſe, I ſhall in the mean while ſay ſomething of what was done between the *French* and *Flemings* in *Flanders*, of whom, when King *Philip* heard they had done *Homage* to the King of *England*, He complain'd to the *Pope*, who taking part with the *French* King, immediately *excommunicated* the *Flemings*, and laid His *Interdict* upon the whole Country, ſo that no Maſs could be ſaid there until King *Edward* ſent them over ſome *Engliſh* Prieſts, that did not think themſelves oblig'd by that *Sentence*. But when King *Philip* found that this had little or no effect upon them, He reſolved to take another Courſe, and ordered about thirteen hundred Men at Arms, and Croſs-Bows, to be ſent from *Tournay*, who marching before the Town of *Courtray*, killed or hurt as many as they found without the Walls, and beſides carried off a great Booty in Sheep and other Cattle; at which the *Flemings* were ſo provoked, that raiſing a conſiderable Body of Men under the conduct of *Jacob Van Arteſeld*, they reſolved to march againſt the City of *Tournay*, and there to have their Revenge; but before he would undertake ſo difficult an Enterprize, he deſired to have the help and Advice of ſome more experienced Commanders: [3.] wherefore they ſent to *Ypres* to the Earl of *Salisbury*, and the Ld **Robert Vfford*, Eldeſt Son to the Earl of *Suffolk*, to come to their aſſiſtance, with as many Soldiers as they could ſpare, which were but fifty Men at Arms, and forty Croſs-Bows; but being to paſs near the Town

[3.] Id. ib.

* *Froiſſ.* calls him E. of *Suffolk*, but it is a miſtake.

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Town of *Lille*, theſe of that Gariſon having intelligence of their coming that way, laid a ſtrong Ambuſh for them behind the Hedges, not far from that Place, conſiſting of above fifteen hundred men, by whom, (being hem'd in on all ſides,) though theſe with their Men behaved themſelves very valiantly, they were taken Priſoners, and carry'd fetter'd to *Paris*, and there brought before the King: Who was (I know not for what Reaſon) ſo incenſed againſt them, that He would have put them all to death, had it not been for the more calm Perſuaſions of the prudent King of *Bohemia*, who not only remonſtrated to Him the unworthineſs of the Action in Cold Blood, to put to death Men of ſuch high Quality, who were only Priſoners of War, but alſo that it might happen that ſome of His Commanders might fall into the like Miſfortune, and muſt then expect the like Treatment: Theſe Conſiderations ſo far wrought upon the *French* King, that He only commanded them to be kept cloſe Priſoners, where they continued till the enſuing Truce, and then they were ſet at liberty, paying their *Ranſoms*: But when *Jacob Van Artefeld* heard of their being taken, he immediately diſmiſſed all the Forces he had raiſed, and return'd home to *Gaunt*.

[4.] Id. ib. c. 48. **The Duke invades *Haynault* with a great Army, and deſtroys all the Country.**

But to return to the Duke of *Normandy*, [4.] who had Orders from his Father to invade *Haynault*: having now raiſed a great Army of above Twenty thouſand Men, made his General Rendezvouz at St. *Quintin*, and accompanied with divers of the Chief of the *French* Nobles, enter'd *Haynault*, and there deſtroying without mercy, burnt all the Towns on that ſide the Countrey almoſt as far as *Valenciennes*, except that of *Queſnoy*, and ſome other places that were too ſtrong to be eaſily taken; after which Deſolation Duke *John* return'd to *Cambray*, where he diſbanded ſome of his Men, and ſent the reſt into Gariſons; but the Reaſon why the *Haynalders* made ſo ſmall a reſiſtance, was, that the Earl finding himſelf overpowered by the *French*, was lately gone over into *England*, to implore the aſſiſtance of the King his Brother-in-Law, who received him very kindly, and notwithſtanding his late deſerting his Intereſt, now made a League offenſive and defenſive with him; which being concluded, the Earl went over again, but before he returned home, he went into *Germany* to the Emperor *Lewis*, who had married his Eldeſt Siſter, and made the like League with Him: Theſe Tranſactions detained the Earl of *Haynault* abroad much longer than was expected, and his Uncle the Lord *John* of *Beaumont*, would not venture to engage the *French* in a Battel, without the Earl his Nephew's Preſence, or expreſs Orders.

Whereupon the Earl implores the aſſiſtance of King *Edw.* His Brother-in-Law.

[5.] *Froiſſ.* ib. c. 50. **The Duke of *Normandy* lays ſiege to the Town of *Thine L' Eveſque*. The E. of *Haynault* comes to the relief of it with 100000 men, and offers the *French* battel, which is declined by them.**

Then [5.] the Duke of *Normandy* taking this Advantage, and being excited by the Archbiſhop of *Cambray*, who told him the Town and Caſtle of *Thine l' Eveſque* having been lately ſurprized by the *Engliſh* and *Haynalders*, was a very troubleſome Neighbour to that City; he thereupon marched with a conſiderable Army to beſiege it, and ſo batter'd it with his Warlike Engines, that the Beſieged were very near a Surrender; when the Earl of *Haynault* now return'd home with an Army of about Forty thouſand Men, he march'd to the relief of that Place, and before he arrived there, he was reinforc'd by near Sixty thouſand *Flemings*, that came to his aſſiſtance; ſo that his Army made about an hundred thouſand in all; therefore finding himſelf ſuperior to the *French* in number, he ſent to the Duke of *Normandy*

mandy by one of his own Knights to offer him Battel, but the *French* Prince having the advantage of a River between him and the *Haynalders*, which could not be paſſed without great danger to that Party that undertook it, he by the King his Father's Advice, (who was then *incognito* in the Camp) return'd this Anſwer, *That he had no occaſion to fight, ſince he could take the Caſtle without it*; to which King *Philip* alſo added, *that when He thought fit He would paſs the River, and deſtroy* Haynault *worſe than it had been already.* When the Earl heard this, and found that he could not draw the *French* to a Battel, and that there was no relieving the Place without it, he gave notice to the Beſieged to ſhift for themſelves as well as they could, [1.] and for that end ſent them divers Veſſels down the River by which the Caſtle lay, and on theſe the Beſieged going on board in the Night with all their Baggage and Proviſions, quitted the Place, having firſt ſet it on fire. This being perceived by the *French*, they preſently got into it, and quenched the Flames, which, notwithſtanding, had done conſiderable damage to the Buildings.

[1.] *Fabian.* *Ad hunc Ann.*

Whereupon the Beſieged quit the Place, which is ſurrender'd to the *French*, and the Earl with his Forces return home.

This Misfortune happened preſently after King *Edward*'s laſt Arrival at *Gaunt*; [2.] but before He heard of it, He wrote to the Earl to give Him notice of his late Victory at Sea, and deſired him to continue the Siege; but the Earl ſeeing there was nothing more to be done, decamp'd and return'd home to *Valenciennes*, with the reſt of the Princes and Lords of the Empire that accompany'd him in this Expedition.

[2.] *Froiſſ.* ib. c. 50.

But [3.] before they departed thence, it was agreed between King *Edward* and them, that a General Aſſembly of all the Confederates ſhould ſhortly be held at *Villenort*, a Town in *Flanders*, there to conſult how to carry on the War the reſt of this Campaign; then about the middle of *July* King *Edward* met at the Place appointed, together with the reſt of the Princes and Lords formerly mentioned; beſides whom there were three or four Burgeſſes ſent from every good Town in *Flanders*.

[3.] *Froiſſ.* ib. c. 53.

A General Aſſembly of the Confederate Princes meet at *Villenort*, and what is there reſolv'd.

In this *Aſſembly* it was agreed, that two compleat Armies ſhould be forthwith raiſed, the One conſiſting of the Men of *Gaunt* and *Bruges*, and Other *Flemings*, with a certain number of *Engliſh* Archers, making up in all about Fifty five thouſand [4.] Men; which being commanded by the Lord *Robert* of *Artois*, was to lay ſiege to St. *Omer*'s; and the Other conſiſting of King *Edward*'s own Forces, with thoſe of His Allies, was to ſit down before *Tournay*; but King *Philip* to prevent their Deſigns, had already ſent thither *Eudes* Duke of *Burgundy*, with many other Lords and Captains, to the reinforcement of the Earl of *Armagnac* the Governor; theſe came near to it with two and forty Ships well furniſhed with Soldiers and Proviſions of all ſorts: Then King *Edward* and the Confederates reſolved, that he ſhould ſet forward with his Forces by the middle of *Auguſt* next enſuing, and lay ſiege to the City of *Tournay*, and that thither all the Lords of the League ſhould repair to him with their ſeveral Forces, except the Lord *Robert* of *Artois*, who was to lie before St. *Omer*'s: Theſe things being ſetled, the *Aſſembly* broke up, and every one made himſelf ready to perform what had been now agreed upon.

[4.] *Du Cheſne* Hiſt. P. 651.

King *Philip* to prevent the Confederates Deſign, reinforces the Gariſon at St. *Omer*'s.

When

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[5.] *Froiſſ.* ib. c. 53
As alſo that of *Tournay*.

[1.] *Fabian.* Ib.

When [5.] King *Philip* had information of the Reſolutions of this Aſſembly, He immediately gave orders not only to reinforce the Gariſon of St. *Omers*, but becauſe the City of *Tournay* was like to be firſt attack'd, He immediately ſent thither a ſtrong Detachment under the command of the Earl of *Ews*, with other Lords and Chief Commanders of *France*, amounting in all to Four thouſand Men at Arms, and Ten thouſand Foot, [1.] the City it ſelf being able then to raiſe Fifteen thouſand Men of its own Burgers; and beſides all this, the *French* King had taken convenient orders to furniſh the Town with all things neceſſary for a Siege.

[2.] *Froiſſ.* ib. c. 54.
The Confederate Princes have a General Rendezvouz of all their Forces, with which King *Edw.* marches to the Siege of *Tournay*.

Toward [2.] the latter end of *July*, or beginning of *Auguſt*, all things being ready, the Confederate Princes again met according to appointment, and King *Edward* began His March towards *Tournay*, attended by ſeven *Engliſh* Earls, eight Prelates, eight and twenty Barons, and two hundred Knights; his Army was very numerous, conſiſting of Four thouſand Men at Arms, and Nine thouſand Archers on Horſeback, and beſides a great number of Foot, and the Forces of the Confederate Princes and Lords that accompany'd Him; alſo *Jacob Van Arteſeld* came to the Siege with no leſs than Forty thouſand *Flemings*; with this powerful Army the King marched from *Gaunt*, and paſſing the River *Eſcant*, approached near *Tournay*.

[4.] *T. W.*
K. *Edw.* ſends K. *Philip* a Letter of Defiance.
[5.] *C. A. M.*

But I cannot here omit, that before King *Edward* had begun to lay actual Siege to it, [4.] He thought fit to ſend to King *Philip* a Letter of Defiance, which being ſomewhat long, I ſhall here give you the Contents of it, It was directed thus; [5.] '*Edward*, by the Grace of God, King of *England* and of *France*, and Lord of *Ireland*, to the Right Noble and Puiſſant Lord *Philip* Earl of *Valois*; and then accoſting Him with no other Title than bare *Philip* of *Valois*, [yet moſt of the *French* Hiſtorians make this Letter begin with Sir *Philip de Valois*; which ſhews more Civility, and agrees better with the Directions;] tells Him, 'That He had for a long time beſought Him by Meſſages and all other Reaſonable Ways to reſtore His Rightful Heritage of *France* long detain'd from Him; but ſince He ſaw He would not do Him Juſtice, He had entred into the Country of *Flanders* as Sovereign Lord thereof, and that by the Aid of *Jeſus Chriſt*, and the Power of His Own People and His Allies, He would put a ſhort end to His Claim, if He would advance nearer towards Him; but becauſe two ſo great Armies as there were now on both ſides, could not ſubſiſt near each other, without great damage to the People and Countrey, which all good Chriſtians ought to prevent, eſpecially Princes and Governors of Nations, He therefore deſired a brief Period might be put to the Matter; and to avoid the Deaths of ſo many Chriſtians, (the Quarrel being between them two only,) that therefore the deciſion of their Claims might be determined by and between their ſingle Perſons: To which Iſſue He referr'd Himſelf, for the Cauſes aforeſaid; and in conſideration of the great Valour of His Perſon, as alſo of His Senſe and Good Advice: But if He would not conſent to this Way, then that it might be ended by a Battel of a hundred of their beſt Men on either ſide; and if He would not accept one of theſe Offers, then that He would aſſign a certain Time within ten days after the date of this Letter, to fight Army againſt Army, before the Town of *Tournay*; and this His Deſire was not out of any Pride or Preſumption, but that the

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'Will of our Lord *Jeſus Chriſt* might be declared between them, for the greater Repoſe of true Chriſtians; and that all the Enemies of God may be the better reſiſted, and Chriſtianity put in ſafety; ſo deſires King *Philip*'s ſpeedy Anſwer to it by the Bearer thereof. This bears Date at *Chyn* upon the *Skell*, near *Tournay*, the 26th day of *July*, Privy Seal; the firſt Year of His Reign over *France*, and fourteenth over *England*.

[1.] Id. ib. K. *Philip*'s ſpeedy Anſwer to it by the Bearer thereof.

To this *Letter* King *Philip* return'd the following *Anſwer*, which, not being very long, I ſhall here give you at length: [1.] '*Philip*, by the Grace of God, King of *France*, to *Edward* King of *England*: We having ſeen your Letters brought to our Court, in which were contained certain Requeſts made to one *Philip* of *Valois*, but for that your Letters were not directed, or the Requeſts made to Us, as clearly appears by the Tenor of them; We ought not to have given You an *Anſwer*, nevertheleſs, becauſe We underſtand by the ſaid Letters, and otherwiſe, that You are enter'd into Our Kingdom of *France*, doing great Damage to Us, Our Realm, and Our People, without Reaſon, not regarding what a Liege-man ought to obſerve toward his Lord; for You have enter'd into Our Homage, and recognized Us King of *France* according to Reaſon, and promiſed ſuch Obedience as Men ought to promiſe to their Liege Lord, as appears more clearly by Your Letters Patents ſealed with Our Great Seal, which We have by Us: Our Intention therefore is, When it ſhall ſeem Good unto Us to drive You out of Our Realm, and that We may be able to do this, We have firm Hopes in *Jeſus Chriſt*, from whom all Our Puiſſance is derived; ſince by Your Unjuſt Enterpriſe, proceeding more from Wilfulneſs than Reaſon, We have been hinder'd from † that *Holy Voyage* beyond Sea, and alſo a great Multitude of Chriſtians to loſe their Lives; and Divine Service hath been diminiſhed, and Holy Church leſs reverenced. And as touching that which is noted in Yours, that You look to be aſſiſted by the *Flemings*; We hope, and ſurely believe, That the Good People and Commons of that Country, will ſo carry themſelves towards Our Couſin, the Earl of *Flanders*, their Lord, that it may not be to their Diſhonour: And that to Us, their Sovereign Lord, they will maintain their Faith and Loyalty. And as for what they have hitherto done, otherwiſe than well, We are aſſured, that was occaſioned by the Evil Advice of ſuch Perſons, who neither had any Regard to the Publick Weal, nor to the Honour of their Country; but only to their own Private Advantage. Given in the *Fields* near adjoyning to the Priory of St. *Andrew les Airs*, under Our Privy Seal, in Abſence of Our Great Seal, the *Thirtieth* of *July*, in the Year of Grace 1340.

† *i. e.* to the *Holy-Land.*

[2.] *Du Cheſne* p. 671. *Mezeray.*

The [2.] *French* Writers relate this Matter very differently: As, that King *Philip* only return'd this Anſwer by Word of Mouth; *That a Lord ought not to accept of a Defiance from his Vaſſal*; and further added, *That if He would ſtake His Crown of* England *againſt that of* France, *He would fight with Him for both; otherwiſe He* (the *French* King) *ſhould fight for what was His Own already, which was very unequal.* This, they ſay, King *Edward* would not hearken to; and ſurely He had good and ſufficient Reaſons for ſo doing; ſince, as He wanted not Courage to make that Challenge, ſo His Prudence prompted Him to weigh well the Conditions.

Yet

A Parliament held at *Weſtminſter* during the King's Abſence, and the Cauſe of calling it.

* Rot *Parl.* 14 *Ed.* 3. pars. 2 n 2, 3. Vid. *Cotton's* Abridg p. 27.

Yet I cannot admit of the Truth of this Relation; for ſince the Authentick Copies both of King *Edward* to the *French* King, and alſo of His Anſwer, are extant in all our Hiſtorians of that time; it ſeems all Needleſs and Impertinent for Him to have return'd any other Anſwer by Word of Mouth, more than had been already ſent in Writing. But leaving the King a while at the Siege of *Tournay*, we will now look into *England*, and ſee what hath been done there in this ſhort time of His Abſence from thence; ſince it will ſhew us the chief Reaſon of His wanting Succeſs at this Siege. Not long after the King's laſt going over, a Parliament was held by * Commiſſion, on the *Seventh* of *July*, at *Weſtminſter*: The Reaſons of their Meeting were declared by the Archbiſhop of *Canterbury*, the Chancellor, to be, Firſt, to conſult what further Courſe was beſt for the King and His Allies to take againſt *France*. Secondly, To provide for the Common Peace; and how to keep Good Order at Home. Thirdly, To take care for the Defence of the *Northern* Ports. Fourthly, For the Dominion at Sea. And, Fifthly, How to anſwer the King the Subſidy laſt granted Him.

Ibid. n 3, 4 The King's late Victory by Sea declared, and a great Supply is required.

Id. n. 6, 7.

The next day, being *Thurſday*, was openly declared in Parliament the Great Victory which the King had lately obtain'd at Sea: Yet, that to proceed ſo as to perfect theſe Happy Beginnings, He muſt be further enabled with Great Supplies of Money; and deſired their Advice, how it might be raiſed with the leaſt Grievance to His People: The Anſwer to which was reſpited till *Saturday* next enſuing. At which time, the Lords and Commons granted unto His Majeſty, as in the laſt preceding Parliament, the *Ninth* of their Corn, Wool, and Lambs, and many uſeful Proviſo's were made for the Anſwering the ſame. On the ſame day came thither the Earls of *Arundel* and *Gloceſter*, with Sir *William Truſſel*, who were ſent with the King's Letters under the Privy Seal, directed to the Lords and Commons in Parliament; putting them in mind of His late Victory near the Port of *Swyne*, and preſſing for a ſpeedy Supply of Money to carry on His War this Summer.

Ibid. The ABp of *Canterbury* and other Bps and Abbots undertake to raiſe 20000 Sacks of Wool on their own Credit.

In Obedience to which Demands, *John* Archbiſhop of *Canterbury*, *Ralph* Biſhop of *London*, with other Biſhops, Abbots, and Knights there named, freely undertook, on their own Credit, to raiſe the King *Twenty Thouſand* Sacks of Wool. So that for every Sack of the beſt Sort, the King ſhould be anſwered Six Pounds, for others Five Pounds, and for the worſt of all, Four Marks; beſides His Cuſtom of Forty Shillings for every Sack: And of all this a ſpeedy Return to be made to the King. And it was ordered, that the Subſidy of the next Year ſhould be employ'd for the Payment of theſe Woolls, and this to be Confirm'd by the King's Letters-Patents.

Ib. The Wool given in this as well as in the laſt Parliament, order'd to be ſpeedily ſold to certain Merchants, who agreed to pay ready Money for it.

Then it was further agreed in Parliament, That for the ſpeedy Sale of this Wool, and turning it into Money, as alſo of the *Ninth* Fleece which had been given in the laſt Parliament, the Sheriffs ſhould be commanded to ſend up from all Cities and Boroughs of their ſeveral Counties, certain Merchants, to appear before the King's Council at *Weſtminſter*, on the *Fifteenth* of *Auguſt* next enſuing; to treat with them about the buying the ſaid Wool in all Counties. Where the ABp of *Canterbury*, with ſome other Biſhops, Earls, and Barons of the King's Council, there named, treated with them, and contracted for a great Number of Sacks of Wool; the Money to be paid at *Bruges* within three Weeks after, or upon the *Eighth* of *September*, or elſe upon the Feaſt of St. *Michael* next enſuing at the fartheſt. The Merchants of *Bardeton* and *Pruſſia* contracted for a great deal of this Wool, and engaged to pay the Money to thoſe of *Louvain* and *Malins*: And ſeveral particular Perſons are there named, both *Almans* and Others, that had been retained by King *Edward*. And the Lords of the Council ſent for divers Perſons to Account before them, and order'd them to return this Money to the King beyond Sea: But what the Reaſon was that theſe Returns were not made to the King accordingly, is hard to determine; ſome of our Writers laying the fault upon the Merchants that were to return the Money; and others, upon the Knavery or Negligence of the King's Officers; who having got theſe Wools into their Hands, did not deliver them to the Merchants, according to their Agreement. But to give ſome further Light into this Matter,

The Return of which is not made to the King accordingly.

Ib. n. 29.

It appears upon the ſaid Parliament-Roll, that by the End of *July*, the Archbiſhop of *Canterbury* then Chancellor, and the Treaſurer, with other Lords of the Council, finding the King very uneaſy upon Failure of the Payment of His Money, wrote over to Him, giving Him an Account of His late Subſidy; and letting Him know, that the late Grant of Twenty Thouſand Sacks of Wool, was not made until the *Four* and *Twentieth* of *July* by the Parliament, which was then but newly riſen; and that therefore the King and His Allies ſhould not wonder, that neither the Wool nor Money could be yet return'd; ſince certainly as much as could be raiſed of this Subſidy, ſhould be ſpeedily ſent Him, as far as the Art or Induſtry of Man could perform it. Yet, for all this, it ſeems, the King received no Part of this Money all the while He lay before *Tournay*, which proved the Ruin of that Deſign, and ſo far incenſed Him againſt all thoſe Miniſters of State, and other Officers who had undertaken this Charge, that He revenged it very ſeverely when He came back; as you will find hereafter. We ſhall now return to the Siege of *Tournay*.

The Failure of which proves the Ruin of His Deſign.

So ſoon as [3.] King *Edward* had ſat down with His Army before that Place, in the beginning of *Auguſt*, He preſently laid cloſe Siege to it with all His Forces, and then proceeded to make ſeveral vigorous Aſſaults, as well with Engines of Battery, as by Storm: But the City was too well provided, both with Men and Proviſions, to be won by plain Force, or by any other way than direct Starving; which neither the *Engliſh* Patience nor Money could then afford: So that all the Revenge they could take, was, that the Earl of *Haynault* in the mean while plunder'd and burnt all the Villages and Towns in the Adjacent Countries. Then, after a tedious Siege of above Nine Weeks, when [4.] King *Philip* had brought a powerful Army into the Field, and made ſeveral fruitleſs Attempts to raiſe the Siege, He was hinder'd by the Lords of His Council from coming to a Battel, which was there offered Him: [5.] Yet He kept at a diſtance from the King of *England's* Army, as being afraid to engage them. Nor could He be provoked to fight, tho' the Earl of *Haynault* and the Lords *Manny* and *Cobham*, the King's Marſhal, and other Officers, being ſent out with Parties during the Siege, waſted the adjacent Country, and burnt Three Hundred Cities, Towns, and Villages, within Six Leagues round

[3.] *Froiſſ.* ib. Cap. 54.
The King lays cloſe Siege to *Tournay*, but cannot take it by Force.

[4.] Id. ib. c. 57.
K. *Philip* attempts in vain to raiſe the Siege, and is hinder'd from coming to a Battel.

[5.] *T. W.*

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Both Kings being weary of War, the Counteſs-Dowager of *Haynault* mediates a Truce between them; which is concluded by Commiſſioners on both ſides.

[6.] *Froiſſ.* ib. c. 64.

[1.] *H. K.* Col. 2578. Chron. Rob. Aveſ. C. 34.

Tournay; and killed many Barons and Knights belonging to the *French Army*, beſides Common Soldiers. So that both Kings began now to be weary of the War; the *French*, from the Deſpair He had to relieve the Town without Fighting the *Engliſh Army*, which He did not think Safe; and the *Engliſh*, becauſe His Returns of Money fail'd Him, wherewith to pay His *Army*; and further, for that (as *Villani*, the *Italian* Hiſtorian relates) the Duke of *Brabant* being bribed by King *Philip*, and not deſiring that ſo Conſiderable a City ſhould fall into the Hands of the *Engliſh*, asked leave of King *Edward* to depart; [6.] whereupon, the Lady *Jane* of *Valois*, Counteſs-Dowager of *Haynault*, (Siſter to King *Philip*, and at that time a profeſs'd Nun in the *Abbey* of *Fountain au Tartres*) offer'd her Mediation between theſe two Princes, her Brother and Son-in-law; and being alſo urged by Letters from the Pope, (who ſent two Cardinal-Legates for that purpoſe) King *Edward* conſented to a Truce until *Midſummer* next enſuing. To conclude which, and draw it up into *Articles*, [1.] the Commiſſioners appointed for the King of *England*, were, the Duke of *Brabant*, the Duke of *Gueldres*, the Marquiſs of *Juliers*, and *John de Haynault* Lord of *Beaumont*; thoſe for the King of *France*, were, *John* King of *Bohemia* and Earl of *Luxenburgh*, *Adolph* Biſhop of *Liege*, *Ralph* Duke of *Lorain*, *Arnè* Earl of *Savoy*, and *John* Earl of *Arminiac*: Who, after ſome time of Debate and Conſideration, concluded a Truce between the Two Kings and their *Allies*, upon the enſuing *Articles*, *viz.*

1. That no Prejudice or Injury ſhould be done by either Party to the other, during the Truce and Reſpite.

2. That the Two Kings, their *Adherents* and *Confederates*, whoſoever they were, ſhould remain, during the ſaid Truce, in the ſame Poſſeſſion and *Seizin* they were in at that time, of all Goods, Lands, and Poſſeſſions, which they held, or had acquired any manner of way.

3. That during the ſaid Truce, the Two Kings, their *Aſſiſtants* and *Confederates*, whoever they were, might ſafely go out of one Country into another; and the Merchants, with all manner of Merchandize, and all other People with their Goods, might go and come, as well by Land as Sea, as freely as they uſed to do at other times; paying their Paſſage-Money, and Tolls, and Cuſtoms, as antiently due. And the Barons and others of *Gaſcoigne*, and in the Dutchy of *Guyenne*, were to be compriſed in this *Article*.

4. That neither of the Kings ſhould procure, or cauſe to be procured, by Themſelves or Others, any Prejudice to be done to the Other, His Friends or *Allies*, by the Church of *Rome*, or others of *Holy-Church*, whatever they were; nor to their Lands or Subjects, by reaſon of the War, or any other Cauſe; nor for the Service the *Allies* and *Aſſiſtants* of both Kings had done, or that ſhould be done for either of them: And if their moſt Holy Father the Pope, or Others, ſhould offer to do ſo, both Kings might oppoſe them to the utmoſt of their Powers, without doing ill, during the Truce.

5. All Priſoners of War on both ſides ſhould be releaſed during the Truce, upon their Paroles, to return again to Priſon when it was ended.

6. That

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6. That there ſhou'd be a Truce between the *Engliſh* and *Scots* for the ſame time, and certain perſons were to be appointed upon the Borders of each *Kingdom* to ſee it obſerved, upon ſuch *Conditions* as had been formerly; which if the *Scots* refuſed, the King of *France* was not to aſſiſt 'em with Forces, nor any other ways to relieve or encourage them: And it was further agreed, That this Truce ſhould be notify'd or proclaim'd in *England* and *Scotland* ſix and twenty days after the date thereof. This was confirm'd and ſeal'd with the Seals of the *Commiſſioners* on both ſides, in the *Church* of *Eſpetelyn*, on *Monday* the twenty fifth of *September*, in the Year of Grace 1340, and was afterwards ratify'd by both Kings.

[1.] There was alſo a private or ſeparate Agreement then concluded by all Parties at this Treaty, that both Kings ſhould ſend four or five Commiſſioners to treat further of a firm and laſting Peace between them; of which you will find more by and by.

[1.] *Froiſſ.* ib. C. 64.

But I cannot here omit, that during the late Siege of *Tournay* [2.] the Confederate Princes met with another piece of Ill Succeſs, which much accelerated the late Truce, and it was thus: The Lord *Robert* of *Artois* had at the ſame time undertaken the Siege of St. *Omer's*, and tho attended by an Army of above forty thouſand Men, was yet nevertheleſs forced not long after to raiſe it to his no ſmall diſgrace; but it did not happen, as *Froiſſart* relates, from a Panick Fright that then aroſe in the *Flemiſh* Army on the News of the ſudden approach of the *French*, nor from any Mutiny againſt the Lord *Robert* of *Artois*, their Leader, as our Hiſtorians will have it, but rather as [3.] ſome of the *French* Writers more truly report, from the *Flemiſh* Army's being made up of Tradeſmen and Artificers from divers Cities and Towns of *Flanders*, who were under no Diſcipline, and would not obey their Commanders; but when they were brought to aſſault a Trench that was newly caſt up by the Beſiegd for their defence, they not only refuſed to do it, but retreated to their Camp without ſtriking a Stroke; This being obſerved by the Duke of *Burgundy*, and the Earl of *Armigniac*, who then commanded within the City, they took freſh Courage, and ſally'd out upon the *Flemings* with all the Forces they could ſpare; which had ſo good an effect, that tho' *Robert De Artois* the *Flemiſh* General, and thoſe about him behaved themſelves very well, yet his Men being raw and undiſciplin'd, were ſoon routed, and he forced to retreat to his Camp, with the loſs of near four thouſand Men; and, finding that alſo deſerted, he was forced to retire in the Night to *Caſſel*, and from thence removed to *Ipres*, ſo that his Army being broken, he could do no more in thoſe Parts. From thence He marched with all the Forces he had left to the aſſiſtance of King *Edward*, who ſtill lay before *Tournay*, though their arrival did Him but little ſervice, for He was forced to riſe from before that Place, as you have already heard. But to return to the preſent Affair:

[2.] Id. ib.

[3.] Chron. Fran. *Ms.*

The raiſing this Siege, and the Defeat of the *Flemiſh* Army was certainly a great Diſappointment to King *Edward's* Deſigns, and all He then gain'd by it, was, that the Officers and ſome of the Soldiers who had been at St. *Omers*, came to reinforce His Army; albeit to little purpoſe, ſince by the raiſing both theſe Sieges, and making the Truce beforementioned, it is evident the *French* King gain'd a great advantage,

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for He not only ſaved both theſe Cities from being taken, but by this means ſo broke all King *Edward*'s Meaſures, that He not long after made the Emperor and the Confederate Princes of *Germany* to fall off from His Party, when they found He could do them no farther Service.

A Brief Account of the Affairs of *Scotland* for three Years paſt.

[4.] *H.K.Col.* 1580.

If we look back into *England*, we ſhall find the King's Affairs to have been unſucceſsful this Summer, in relation to *Scotland*, where King *Baliol* being but weakly aſſiſted by King *Edward*, could not recover what He had loſt; [4.] all that He could do, was only to make ſome ſlight Excurſions into *Scotland*, attended by the Earl of *Angus*, the Lord *Piercy*, and other Noblemen, with no great Forces: But in revenge, whilſt King *Edward* lay before *Tournay*, the *Scots* invaded *England*, and plunder'd and burnt the Countrey as far as *Durham*, and had done much more miſchief had not the Truce been made between *England* and *France*, in which the *Scots* were included, and all further Hoſtility ceaſed for a time.

[1.] *Hec. Boeth.* l. 16. *Buchan.* l. 9.

The Lord *Robert Stewart* is made Vice-Roy of *Scotland*, and reduces divers ſtrong Places to the Allegiance of K. *David*.

But ſince the Relation of the Affairs abroad hath hindred me from ſpeaking any thing of *Scotland* till now, I will here give you from Her Hiſtorians a Brief Account of what happened there for theſe three Years laſt paſt; [1.] during which time King *Edward*, being wholly taken up with the War againſt *France*, could not ſpare any Forces conſiderable to aſſiſt King *Baliol*; by which means, upon the Death of the Lord *Murrey*, who had been Vice-Roy to King *David*, the Lord *Robert Stewart*, the King's Nephew, was choſen in his Place; by whoſe Conduct (whilſt King *Edward* was thus employ'd abroad) moſt of the Strong and Conſiderable Places of *Scotland* were again reduced to K. *David*'s Allegiance, together with the greateſt part of the Country: For firſt Sir *William Douglas* recovered all *Tividale*, and likewiſe overthrew the Lord *John Striveling* at *Craging*, won the Caſtle of *Hermitage*, baffled Sir *Laurence Vaux*, and took Sir *William Abernethie* Priſoner, being at that time ſent by the Lord *Robert Stewart* into *France* to King *David*, to requeſt His Orders and Aſſiſtance, becauſe a War was expected from *England*.

In the mean while the Lord *Robert* beſieged *Perthe*, which was by the *Engliſh* vigorouſly defended againſt him for the ſpace of ten Weeks; but the Lord *Douglas* arriving on the ſudden from *France*, bringing with him into the *Tay* five Ships well furniſhed with Men, Arms and Ammunition, Sir *Thomas Ughtred* the Governor, not being able to hold out any longer, was forced to ſurrender the Place, tho upon honourable Conditions; by which great Succeſs King *Baliol*'s Party in *Scotland* was reduced ſo low, that for want of Succours from *England* He was forced to quit His Kingdom, and take refuge here; tho the *Scotiſh* Writers relate, that He was brought hither by *King Edward* before His War with *France*, either for His greater Security, or hoping by His Removal to keep the *Scots* more at quiet; or elſe out of ſuſpicion of His Loyalty.

The *French* King ſends Supplies of Men and Money into *Scotland*.

Whilſt King *Edward* lay at the Siege of *Tournay*, the *French* King ſent new Supplies of Men and Money into *Scotland*, inciting the Lord *Robert Stewart* to make War upon *England*, that ſo by ſuch a Diverſion King *Edward* might be forced to quit the Siege; upon which the *Scots* taking heart, not only won many Fortreſſes in *Scotland*, but alſo adventured in ſeveral great Bodies to enter *England*, where they deſtroy'd the

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[2.] *Froiſſ.* ib. c. 55.

[3] *Buchan.* ib. The Caſtle of *Edinburgh* taken by ſurprize.

the Country in the manner already related: In ſhort, they did make ſuch good uſe of King *Edward's* Abſence, that [2.] by this time there was ſcarce any place of moment left untaken, except *Berwick*, *Striveling*, *Roxburgh*, and *Edinburgh*, the Caſtle of which Town being ſeated on a high Rock, and reckoned the ſtrongeſt place in all *Scotland*, [3.] was not long after ſurprized and taken by a Stratagem, through the ſubtile Contrivance of Sir *William Douglas*, and Sir *Simon Frazer*, who ſeigning themſelves to be Merchants that had brought Wine, Coals and other Proviſions for the Caſtle, were brought up to the Gates by a great many of their Party diſguiſed like Clowns, and by ham-ſtringing two of the Horſes directly in the Gate-way, they ſurpriſed and killed the Porter; from whom *Douglas* taking the Keys, let in his Companions that ſtood without, and ſo falling ſuddenly upon the Gariſon, put them all to the Sword, except a few *Engliſh* Gentlemen who were kept Priſoners. This Loſs happening whilſt the King lay before *Tournay*, an Account of it was carried thither to Him, at which He was very much troubled.

Theſe being the Chief Actions that happened in *Scotland* during the ſpace of three Years laſt paſt, I have here put together without ſetting down the exact time when each of them was done, becauſe the uncertain and contradictory Accounts and falſe Computations of the *Scotiſh* Writers render it as impoſſible as it is unneceſſary to be known.

[2.] *Froiſſ.* ib. The King returns to *Gaunt*, where He ſtays till His going into *England*.

[2.] We ſhall now look back into *Flanders*, where ſo ſoon as the Siege of *Tournay* was over, King *Edward* returned again to *Gaunt*, where He was joyfully received by His Queen; and here He ſtaid for about two Months to ſettle His Affairs, ſtill waiting for a Supply of Money out of *England*; of which when He found Himſelf wholly diſappointed, He was forced at laſt privately to return home in order to raiſe it, for payment of the great Debts He had contracted in this late Expedition.

An *Account* of this Year's Tranſactions between the *Pope* and King *Edward*.

But ſeeing, as well before that, as after it, the *Pope* had very much beſtirr'd Himſelf to make Peace between the Two Kings, I ſhall here inſert the Letters that paſſed between His *Holineſs* and King *Edward*, which tho of great Moment, yet could not, by reaſon of other Affairs, be inſerted in their Proper Places, without breaking the Thrid of the *Hiſtory*; therefore I ſhall now give you them all together, that the Reader may ſee the Inclinations of the *Pope* and Court of *Rome*, and their Partiality to the *French* Intereſt.

[3.] *Odoric. Raynold. ad hunc Ann.* §. 4. The King writes to the *Pope* to juſtifie His *Proceedings* againſt the *French* King.

[3.] In the beginning of this Year, ſo ſoon as King *Edward* came to *Gaunt*, He wrote to the *Pope* to give Him an Account of His aſſuming the Arms and Title of King of *France*, and the Reaſon why He had ſo done, *viz.* 'Becauſe the Lord *Philip* of *Valois*, Couſin German to the 'late King *Charles*, (and thereby one Degree removed further from that 'Crown than King *Edward*) had during His Minority, by Force and U'ſurpation intruded Himſelf into that Throne: Then the King concludes 'with great Profeſſions, how ready He ſhould be at all times to preſerve 'the Good Laws and Cuſtoms of that Kingdom, and not to oppreſs it 'by change of Coin, or any Inordinate Exactions, and alſo how willing 'He ſhould be to accept of a Peace, for the Recovery of the *Holy-Land*, 'were it not that the ſaid Lord *Philip* raiſed War againſt Him, and would 'not condeſcend to any Reaſonable Conditions of Peace. This bears

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Date at *Guant* the Eighth of *Eebruary*, in the firſt Year of His Reign over *France*, and the Fourteenth over *England*.

[2.] Id. ib. The *Pope's Anſwer* to this Letter.

‘[2.] To this Letter the *Pope* not long after return'd an *Anſwer*, wherein He more plainly than ever before declared Himſelf of the *French* King's ſide; for after having blamed the King of *England*'s Conduct in aſſuming the Arms and Title of *France*, as proceeding from Evil and Unrighteous Councils, He farther reproves Him, That under the Pretence of being Supreme Lord of *Flanders*, He had joined with the *Flemings*, who had never been noted either for Conſtancy or Loyalty, and who had often rejected their own Natural Lords.

‘He then bids Him conſider His Imprudence in taking the Title abovementioned, which indeed belonged to King *Philip*, as having been many Years poſſeſſed of it, and who had been recognized by King *Edward* Himſelf in His doing *Homage* to Him; ſo that thoſe who hear theſe things, will aſcribe what the King had done to meer Simplicity or Vanity; ſince, if it be well conſidered, ſuch a Title wanting both Reality and Advantage, the taking of it muſt have proceeded from the fault of thoſe Men who only ſeek their own Profit, tho never ſo much to the King's Loſs and Detriment. And then deſires Him further to reflect how much He had thereby provoked the Kings and Princes who were now confederated againſt Him, and thereby rendred the Concluſion of any Peace between Him and the King of *France* impracticable; ſince the Princes, Nobles and Subjects of that Kingdom would rather expoſe themſelves to death and loſs of Eſtates, than ever accept of Him, as claiming by that Title He had ſet up. Nor ought He to repoſe much Confidence in the *Germans* and *Flemings*, for tho they ſeemd ſo kind for the preſent, yet He would find them Broken Reeds, not to be at all rely'd upon, when once they had drained Him of His Money; the truth of which He would quickly find, if He pleas'd but to peruſe the *Actions* of His Progenitors, where He would ſee how the *Germans* and *Flemings* had dealt with them upon the like Occaſions. He then concludes with an earneſt Exhortation, That He would receive what He had written with a favourable Mind, and ſeriouſly conſidering it, would lay aſide the aforeſaid empty Title, and incline His mind to Peace and Concord, whereby He might obtain thoſe things which appear to be His Right, and that a mutual Agreement being made between Him and the ſaid King, as they were nearly allied by Blood, ſo they may be united in the perpetual Bond of Love and Confederation. Dated at *Avignon Tertio Non. Martii*, *Anno Pontiff* VI.

[4.] Id. ib. § 8. He again admoniſhes Him to break off His Alliance with the Emperor.

‘[4.] And the Pope at the ſame time wrote other Letters to the King, wherein He chid Him, That notwithſtanding His having been admoniſhed the laſt Year, that under penalty of Eccleſiaſtical Cenſures, He ſhould break off His Alliance with *Lewis* of *Bavaria*, that is, the Emperor, (for the Pope would not own Him as ſuch) and concerning which He had hitherto returned Him no Anſwer; and therefore He now deſired ſpeedily to know His Reſolution concerning it. This bears Date at *Avignon*, the ſame Day with the former.

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[5.] Id. ib. §. 8

‘ And [5.] it further appears from the ſame *Author*, that upon the King's deferring to declare Himſelf, and renounce the Emperor's Friendſhip, thoſe very Cardinals that had been lately Mediators of the Peace, wrote to the Pope, that thoſe Cenſures He had once threat'ned the King withal, ought now to be inflicted on Him; becauſe He ſtill retained the Vicarſhip of the Empire. But the Pope did not come to that Height of Severity, but wrote back to them to forbear ſuch ſevere Proceedings, until He, together with the Cardinals, had more maturely weighed ſo important an *Affair*. And, before things went thus far, we ſhall find the Emperor Himſelf to have repealed His Commiſſion granted to King *Edward*; ſo that there was no further Occaſion for the Pope to come to that Extremity.

[1.] Id ib. The K. ſends two *Italians* as Envoys to the Pope, with their Inſtructions.

Moreover, [1.] King *Edward* being reſolved to juſtifie His Right to the Crown of *France*, whilſt He reſided at *Gaunt*, employ'd two *Italians*, *Nicholas de Fliſco*, and *Andrew* his Son, as Envoys to the Pope, with theſe following Inſtructions. *Firſt*, ‘They were to ſet forth the King's Title to that Crown. *Secondly*, They were to anſwer all Objections that could be made againſt it, in reſpect of His having done Homage to King *Philip*, and thereby acknowledged Him Rightful K. of *France*; as alſo that Main Objection, of His being deſcended by a *Female*, and thereby made incapable of Succeeding to the Crown of that Kingdom: And that the *French* Nation had done Him no Injuſtice, ſince they had already ſet aſide ſome Nephews and Grandchildren of the late Kings, *Lewis* and *Philip*, Elder Brothers to *Charles* the *Fair*. All which, ſince they are much the ſame in the Objections and *Anſwers*, expreſs'd in the King's firſt Letter to the Pope, I ſhall here paſs over; only to the laſt Objection, the *Ambaſſadors* were order'd to reply, ‘That, tho' it is true, that there were ſeveral Daughters born to the ſaid Kings, ſome of whom had Sons, yet thoſe were all dead without Iſſue: And as for the two Daughters of the late K. *Charles*, King *Edward* claim'd to Succeed before them, as being the neareſt Kinſman to His late Uncle King *Charles*; whoſe Daughters being themſelves incapable to Succeed, were alſo then without any Heirs-Male.

[2.] Id. ib.

Theſe Inſtructions were ſent by [2.] *Nich. de Fliſco*, and his Son *Andrew* above-mentioned, and were followed by other Letters from the King to the Pope, Sealed with the *Arms* of *England* and *France*; which had been ſent before, but that He could not get this New Seal ſooner made.

I cannot here omit taking notice, that whilſt theſe Envoys remain'd at *Avignon*, certain Bold and Wicked Men thinking to curry Favour with the King of *France*, broke into their Lodgings by Night, and ſeiſing on their Perſons, hurried them away into the *French* Territories. But as ſoon as ever the Pope heard of it, He wrote to the King of *France*, demanding to have the ſaid Envoys return'd Safe to *Avignon*, or elſe He would put His Kingdom under an *Interdict*. Upon which, *Philip* return'd *Anſwer*, that He was utterly ignorant of the Fact, and had given Orders to make a ſtrict Search for them, and to carry them back from whence they were taken, which was done accordingly: And the Pope was ſo exact in His Juſtice, that He cauſed ſeveral of His own Family to be hanged, whom He found had a hand in this Violence. This, tho' it happened towards the latter end of this Year, I have inſerted here, that ſo I might put all things concerning this *Affair* together.

[3.] Id. ib. *ad hunc An.* § 37. The K. writes again to the Pope, to thank Him for His Endeavours to procure a Peace.

I ſhall now return to King *Edward*, who whilſt He continued at *Gaunt*, long before His Departure for *England*, wrote another Letter to the Pope; wherein [3.] ‘He thanked Him for His Diligence in endeavouring a Peace between the two Realms, which He Himſelf alſo highly deſired; that thereby He might be at Liberty to proſecute the *Holy-War* againſt the Common Enemies of *Chriſtendom*. Then He declared, how, at the importunate Inſtances of ſome Great Perſons, (as well as His Holineſs's Interceſſion) He had accordingly condeſcended to a Truce, even then when He had almoſt reduced *Tournay* to the laſt Extremity: And yet, that upon Sight of His Holineſs's Letters, He had prolonged the Term of the ſaid Truce, that thereby He might give Him fuller Information of His own Intentions, and alſo of the Equity of His Cauſe; requiring thereupon His Advice, which He ſhould be ſtill ready to embrace. Alſo, that He had ſent His Envoys to the *Apoſtolick See*, to return Thanks to His Holineſs, for His Diligence in obtaining the Liberty of *Nicholas de Fliſco*; deſiring *God Almighty* to preſerve His Holineſs in the Government of His *Holy Church*, many and happy Days. Dated at *Gaunt* the *Nineteenth* of *November*, in the Firſt Year of His Reign over *France*, and the Fourteenth over *England*.

* Rot. Pat. 15 *Ed.* 3. m.

*About the ſame time, He ſent to His Holineſs the following Juſtification of Himſelf and His Cauſe, by certain Commiſſioners who were appointed for that purpoſe, *viz. William* of *Norwich* Dean of *Lincoln*, *John Vfford* Archdeacon of *Ely*, and *Thomas Thoresby* Chanon of *Southwell*, who declared on the Behalf of their Lord the King, His ſincere Intentions to accept of a Peace: In order to which, they thought it neceſſary, truly to repreſent to His Holineſs the State of the Matter of Fact. As *Firſt*, ‘The Lord *Philip*'s Uſurping the Realm of *France*, and, to hinder King *Edward* from proſecuting His Right, had aſſiſted the *Scots* againſt Him; as alſo, by unjuſtly ſeiſing ſeveral Places in the Dutchy of *Guienne*; ſo that the King, being then under Age, and unexperienc'd, had not (till of late) taken any Courſe to proſecute His Right to the ſaid Kingdom of *France*: Yet deſiring Peace and Quiet, He had already offer'd the Lord *Philip*, for the Recovery of the ſaid Dutchy, and for His forbearing to aſſiſt the *Scots*, theſe following Conditions: Firſt, *The Marriage of His Eldeſt Son with a Daughter of the Lord* Philip, *without any Dowry.* Secondly, *The Marriage of His own Siſter, now Lady of* Gueldres, *with a Son of the ſaid Lord* Philip, *with a Great Portion.* Thirdly, *The Marriage of His own Brother, the Earl of* Cornwal, *(deceaſed) with any Siſter or Kinſwoman of His.* Fourthly, *To redeem the Seiſure of His Lands, He had offer'd unto Him a Sum of Money, to be adjuſted at the Diſcretion of the ſaid Lord* Philip. Fifthly, *Becauſe the ſaid Lord* Philip *pretended that He would croſs the Seas to the Aid of the* Holy-Land, *their ſaid Lord the King, out of the great Zeal He always had, and ſtill hath to undertake this Expedition, offer'd to accompany Him thither, and to grant the* Scots *a Reaſonable Truce; on condition, that the ſaid* Philip *would faithfully promiſe Him, after His Return, to do Him full Right and Juſtice, as to the Dutchy of* Guienne. But He deſpiſing and rejecting all theſe Reaſonable *Conditions*, proudly anſwered, That He would do nothing, until He had given to the *Scots* full Satisfaction for all Places which, in His time, had been taken by Force in *Scotland*. And when King *Edward's* Ambaſſadors anſwered, That as to this Point, they were not impowered to make any Return, nor did they believe their Lord the King would agree to it: To this the Lord *Philip* immediately replyed, *That it would never be well, until there was one King of both the Realms of* France *and* England; (thereby meaning Himſelf.) This the Archbiſhop of *Canterbury* declared publickly at his Return from *France*, before a great number of Prelates, Earls, Barons, and others.

Then they proceeded further to ſet forth, 'That the King having Summoned a Parliament, it was there, by the Advice and Conſent of all the Eſtates of the Kingdom, decreed and ordain'd, That ſince by humble and moderate Ways He could not obtain Peace, and that by the Judgment and Deciſion of divers Doctors and Advocates, as well of the Court of *Rome*, as of the Students at *Paris* and *Oxford*, and eſpecially of the moſt Learned and Expert Prelates of *England*, by all whom He had cauſed His Right to be carefully diſcuſs'd; It had appear'd to them, that the ſaid Kingdom of *France*, was, by the Death of His Uncle, the late Lord King *Charles*, lawfully devolved upon Him by Right of Succeſſion as next Heir-Male; therefore, that He might lawfully proſecute His ſaid Right by Force.

'And [5.] that it was therein further ordain'd, that thoſe Alliances ſhould be made in *Almaign*, which were ſince concluded by the Biſhop of *Lincoln* and ſeveral Noblemen of *England*. Then, after a ſhort Account of the making of thoſe *Alliances*, they proceeded to ſet forth the King's Voyage beyond Sea, His late War upon *France*, with His Return out of *Flanders*; and how in His Paſſage over thither again, He had been ſet upon by the *French* Fleet, which He had deſtroyed: And that upon the Confidence of the *Archbiſhop* of *Canterbury*'s Promiſe, of furniſhing Him with Money ſufficient, He had then gone over quite unprovided of any, and ſat down before the City of *Tournay*; where not having yet received any for the Payment of His Forces, He had been forced to raiſe the Siege, and agree to a Truce, when the Place was near being taken. And theſe Commiſſioners further reported, as they had it from the King's own Mouth, that the ſaid *Archbiſhop* had not only been negligent in the Return of His Moneys, but had alſo endeavoured to ſtir up Variance and Diſcord between Him and the Queen, by ſpeaking to Each of them to the Prejudice of the Other, if Credit had been given to what he had ſaid. As to theſe laſt Points, the Commiſſioners deſired the Pope would be pleaſed to keep them Secret; but as for the reſt, He might publiſh them, if He thought fit.

[5.] Id. ib. A Brief Relation of what had been tranſacted in *England* before the King's laſt going over.

Then [1.] the Envoys went on, and declared King *Edward*'s Demands and Reſolutions, which were to this effect: 'That tho' He challenged the whole Realm of *France* as His Right, devolved to Him by Hereditary Succeſſion, yet that out of Reverence to His Holineſs, He was ſtill ready to treat of Peace; provided that in the ſaid Treaty, Conſideration might be had to His Claim to the ſaid Kingdom; and not only concerning the Dutchy of *Guienne*, with which, being His own already, He ſhould not ſit down contented tho' He might

[1.] Id. ib. King *Edward's* Commands & Reſolutions expreſſed by His Commiſſioners.

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‘have it free from all Service and Subjection to any one. Then they further offer'd the Pope on the King's behalf, That out of His great Confidence, and the Reverence He had for Him, He was willing to accept of His Holineſs's Mediation in Perſon, ſince He had already offer'd it by His Letters, if Deputies from both Parties might be ſent unto His Court for that purpoſe.

[2.] Id ib. § 38. The Pope adviſes the King to be more moderate in His Demands.

[2.] ‘These were the King's ultimate Propoſals, made at that time to the Pope; who ſeeing there was no likelihood of bringing theſe Princes to any final Agreement upon thoſe Terms, but rather that K. *Philip* would, upon the hearing of them, be more incenſed than before; He therefore adviſed the King to be more moderate in His Demands; for that the King of *France* was ſo far from granting ſo much, that in His laſt Letters to Him, He had only offer'd the Reſtitution of thoſe Lands in *Aquitain*, which had been forcibly taken by His Father *Charles* of *Valois*, in the time of King *Charles* the *Fair*, when the late King *Edward* refuſ'd to come over and do Him Homage; as alſo thoſe Places that the preſent King had lately ſeiſed into His Hands.

I have been more particular in relating all the Points of this Negotiation, not only becauſe they are to be found in no other Author, except the above-cited *Odoricus Raynoldus*, but alſo that it lays before the Reader all the Proceedings in that great Difference between theſe two Kings, and what made it almoſt impoſſible for them ever to come to any Agreement. So that all that could be done in this Conjuncture, was, that (according to the Agreement at the laſt Treaty for the Truce) both the Kings ſent Five Commiſſioners to meet at *Arras*; whither alſo the Biſhop of *Rome* ſent two Legates: And theſe being all met together, were to conſult and agree upon the Beſt and moſt Equal Conditions, for eſtabliſhing a Firm and Laſting Peace.

Commiſſioners agreed on to be ſent to *Arras*, to treat of a General Peace.

[3.] Froiſſ. ib. Cap. 64.

[3.] In Complyance to which, the Pope (not as a Judge, but a Common Friend and Mediator) impowered the Cardinals of *Naples* and *Clermont*, as His Legates; Who going firſt to *Paris*, and having conferr'd with the *French* King, went from thence to *Arras*, attended by His Commiſſioners or Plenipotentiaries, who were, *Charles de Valois* Earl of *Alençon*, King *Philip*'s Brother; *Peter* Duke of *Bourbon*, *Lewis* Earl of *Flanders*, *Guy de Caſtilion* Earl of *Blois*, the Archbiſhop of *Sens*, the Biſhop of *Beauvois*, and the Biſhop of *Auxerre*; and they were met by *Seven* of King *Edward*'s Delegates, who were, *Henry Burwaſh* Biſhop of *Lincoln*, *Richard Bury* Biſhop of *Durham*, *Henry Plantagenet* Earl of *Derby*, *Thomas Beauchamp* Earl of *Warwick*, the Lord *Robert* of *Artois*, Sir *John* of *Haynault* Lord of *Beaumont*, and Sir *Henry Earne* of *Flanders*: All theſe held a Treaty at *Arras* for Fifteen Days together, but could come to no Agreement as to a laſting Peace; for the *Engliſh* Demands were too high, and the *French* Conceſſions too low, they yielding to nothing but the Surrendring the Earldom of *Ponthieu*, and thoſe other Places in *Aquitain*, which were already the King's Right. So all that then could be done, was, by ſeveral Meetings, to continue the Truce one Year and half longer; *viz.* according to our * Records, Firſt, to the Twenty Ninth of *Auguſt* next enſuing, and from thence it was prolonged to the Fourteenth of *September*, and from that time till *Midſummer*, in the Year 1342: which does not amount to full two Years, as *Froiſſart* makes it: But it is no

They can come to no Agreement, but only to prolong the Truce for about a Year and a half.

* Rot. Alman. 15 *Ed.* 3 m. 7.

great matter how long or ſhort the time was, ſince before it was expired, the War broke out again, as you will find anon. So ſoon as this *Truce* was again renew'd and confirmed for the time beforementioned, the *Aſſembly* broke up, and the *Cardinal Legates* at the Lord *John* of *Haynault*'s Deſire, went homeward through his Countrey, where by him and the Earl his Nephew they were nobly treated.

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[5.] *Lewis* Earl of *Flanders* being by virtue of this late Truce reſtored to his Countrey, now came to viſit King *Edward*, whilſt He continued at *Gaunt*, where the two Princes, tho lately Enemies, feaſted each other very magnificently; however, the King could take but little Pleaſure in thoſe Recreations, being very uneaſie by reaſon of His Great Debts which He had contracted for the laſt Summer's War, having not been able to receive any Money out of *England*, as He had long expected: wherefore finding it abſolutely neceſſary to look into this Affair Himſelf, and to ſee where the fault lay that He was no better ſerv'd, He reſolved to go over into *England*; in order to which [1.] He went privately firſt to *Zealand*, where He ſoon after took Shipping with only His Queen, and eight more Perſons of Quality in His Company; but upon the Sea He met with a very Violent Storm, which laſted for three days together, inſomuch that both He and all that were with Him were in extreme danger of periſhing; however at laſt the Storm being happily abated, * He landed ſafe on the 30th of *November*, about Two in the Morning at the *Tower* of *London*, with His Queen and ſome few Perſons of Quality.

[5.] *Holingſhed.* Chron 912.
The Earl of *Flanders* returns home, and is treated by K *Edward*.
The King reſolves to return privately into *England*.
[1.] *Stow. in hunc Ann.*
The King Lands at the *Tower*.
* Rot. Clauſ. 14 *Ed.* 3. part. 2. m. 12. dorſ.

Upon [2.] the King's entring the Tower, He found no Guard there, only His Children and a few Servants that waited on them; wherefore in great Anger He preſently ſent for the Lord *Nicholas de la Beche*, Conſtable of the *Tower*, and committed him to cloſe Confinement in the ſaid Place; as alſo He ſerved *Andrew Aubrey*, Mayor of *London*, the Lord *Thomas Wake*, Sir *John* St. *Paul*, Keeper of the Great Seal, Sir *John Stonore*, Lord Chief Juſtice of the *King*'s *Bench*, *Michael Wath*, *Henry Stratford*, and *Robert Chickwel*, Clerks of the *Chancery*, and *Philip Thorp*, Clerk of the **Exchequer**, all whom, having been concerned in raiſing or receiving the late Subſidies, He ſent for and impriſoned in the *Tower*. The [3] King alſo ſent and ſeized the Bp of *Chicheſter* His *Chancellor*, and the Bp. of *Litchfield* and *Coventry* His Lord Treaſurer, whom He put out of their Offices, and then impriſoned them for a while, yet durſt not detain them for fear of the *Clementine* Conſtitution, forbidding Bps to be impriſoned.

[2.] *T. W. Ad hunc Ann.*
He commits many of His Great Officers Priſoners to the *Tower*.
And Impriſons the Bps of *Chicheſter* and *Litchfield*, but dares not detain them.
[3] Antiq. Britan p.213. *Edit. Hanov.*

The [4] next Morning after the King's Arrival, He ſent to *Lambeth* for the ABp. of *Canterbury*, but he was removed from thence the day before, and being afraid of the Storm he heard was like to fall upon him, on the Third of *December* removed to *Canterbury*, thinking himſelf ſafeſt there from the K's Diſpleaſure. But ſo ſoon as He heard where he was gone, He ſent the Lord *Nicholas de Cantelupe* with Letters of Credence, who in the King's Name warned the ABp before a Publick *Notary*, and declared, That whereas he ſtood bound to Foreign Merchants, under pain of forfeiting his Goods, to ſee ſuch Sums diſcharged as the King had borrowed for maintenance of His Wars; and that He having been diſappointed of thoſe Moneys, for the raiſing of which He had wholly rely'd upon the ABp's fair Promiſes, and that

[4.] Vid *Ang. Sacra.* 1 Vol. f 21 to 25.
The ABp of *Canterbury* being afraid of the K's Diſpleaſure, removes to his own See.
The K. ſends the Lord *Cantelupe* to him with a ſevere Meſſage, and the ABp's Anſwer.

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this Diſappointment had reduced Him and His Army to great Streights and Neceſſities; wherefore the King's Will was, That he the ABp ſhould preſently pay thoſe Sums of Money, or elſe go over into *Flanders* to anſwer the Creditors, and to remain there in cuſtody till the Money was paid; and to this the Lord *Cantelupe* deſired the Lord ABp's immediate *Anſwer*: But he could not be perſuaded to it, and required ſome longer time to return an *Anſwer* to a Matter of ſo great Moment and Conſequence.

These Meſſages between the King and him took up all the reſt of this Year.

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[5.] Id. ib. The *ABp's* firſt *Letter* to the King.

[1.] *T.W.*

[5.] But when the Archbiſhop ſaw that by the K's Exorbitant Demands upon him, not only his Eſtate, but his Good Name was in danger; tho he did not think it ſafe to go to the King whilſt He was under that Paſſion, yet preſently after *Chriſtmas* he wrote Him a long Epiſtle, [1.] wherein he admoniſh'd Him to 'Take better Advice, and 'make uſe of Good and Able Counſellors, and to remember, that by 'Evil Counſel His Father had, contrary to the Laws of the Land, and '*Magna Charta*, impriſoned divers Great Men, and adjudged others of 'them to death, ſeized their Eſtates, or put them to grievous Ranſom, 'and what happened to Himſelf for this Cauſe. He alſo put Him in 'mind, That by the Prudence and Diſcretion of the Prelates and other 'Wiſe Men of the Nation, His Own *Affairs* had proſper'd, ſo that He 'had won the *Hearts* of the *People*, and had met with more Aſſiſtance 'from the *Clergy* and *Laiety* than any of His Progenitors whomſoever; 'but at preſent, by the Evil Council of ſome about Him, who loved 'their own *Profit* more than His *Honour*, or the *Safety* of the *People*, 'He had impriſoned Clerks and Others againſt the Laws of the Land, 'His Coronation Oath, and againſt the Great Charter; the Infringers 'whereof were, by the *Prelates* of *England*, and the *Pope's Bull* (which 'he had by him) *excommunicated*; which things the King had done to 'the great danger of His *Soul*, and detriment of His *State* and *Honour*. 'He then tells Him, He had pronounced *Excommunicate* all ſuch about 'Him that were Favourers of Treaſon, Flatterers of, and Impoſers up'on Him; and, as His *Spiritual Father*, beſeeched Him to hold them as 'ſuch; ſome of whom, by their Sloth and Ill Service and Advice had 'loſt *Tournay*: Then beſought Him to call together the *Prelates*, *Great* '*Men*, and *Peers* of the Land, to look and enquire into the Miſchiefs of 'the State, and in whoſe hands the *Wool*, *Moneys*, and other things 'then remained, which ſince the beginning of the War had been gran'ted to Him for maintaining thereof; and by what means, and through 'whoſe default He loſt *Tournay*, and to puniſh the Offenders in all 'things according to Law. And as to what concern'd him, Saving al'ways the Eſtate of *Holy-Church*, and his Own *Order*, he was ready in 'all Points to ſubmit to the Judgment of His *Peers*. This Letter was dated at *Canterbury* the firſt of *January* this Year.

[2] Id ib. *Ang. Sacra.* The Subſtance of his Letter to the new Lord Chancellor.

'In [2.] the ſame Month he wrote to Sir *Robert Boughier* a Lay-man, 'who had been lately made Chancellor in the room of the Biſhop of '*Chicheſter*, That he ſhould preſerve the Liberties of *Holy Church* and 'the *Laws* entire, and he let him know, that a *Ninth* had been levy'd 'and diſtrain'd for, upon *Prelates* and others of the *Clergy*, who were 'not bound to pay it; and alſo the *Tenth* was exacted on ſuch as were 'only bound to pay a *Ninth*; thereby oppreſſing the *Clergy* againſt all

'Juſtcie;

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Juſtice; exhorting and requiring him in the Lord, not to permit the Religious and Clergy to pay otherwiſe than according to the Form of the Grant of theſe *Taxes*; nor to give his *Advice* or *Aſſent* to any thing in prejudice of the *Great Charter*, or that might tend to the ſubverſion of *Church Liberties*; declaring, if he ſhould make out any Writ, Commiſſion or Precept to that purpoſe, he would not neglect to exerciſe ſuch *Power* as *Holy Church* had committed to him.

[3.] **Id. ib.** His Letter to the King and Council, complaining of the Grievances of the *Clergy*.

[3.] Nor did the *ABp* ſtop here, but growing yet bolder, he again wrote to the *King* and His *Council*, wherein he lets them know, ‘that as *ABp* and the *Pope*'s *Legat*, he had declar'd all thoſe that do arreſt Clerks, put them in priſon, and detain them againſt their Wills, *Excommunicated* by the Canon; which Sentence he publiſhed in the Church of *Canterbury*, and cauſed it likewiſe to be publiſhed by all his Brother Suffragans or Bps of that Province; after the Denunciation of which Sentence, ſeveral Clerks (there named) were taken and impriſoned, to the prejudice of God and *Holy Church*, againſt the Laws and Priviledges of all Clerks, and to the danger of their Souls who did ſuch things, or gave Advice, or aſſented to the doing of them; wherefore he now beſeech'd the King to preſerve the Rights and Privileges of *Holy Church* inviolable, and forthwith to releaſe the Clerks, and others, that had been impriſoned againſt the *Great Charter*, the Laws of the Land, and Privileges of ſuch as were detained. And he further beſeeched all thoſe of the King's Council, who had preſumed to adviſe Him to commit ſuch things, not to hinder the releaſe of thoſe *Clergymen* that were then impriſoned: he alſo declared, That the King's Miniſters or Officers, of what Condition ſoever, who had entred the Granges, Houſes, and other Places of *ABps*, *Bps*, or other *Eccleſiaſticks*, and *Religious Perſons*, without the Conſent of their *Bailiffs*, and took and carry'd away their Goods, and all thoſe that commanded ſuch things to be done, were involved in the ſame *Sentence* of *Excommunication*; wherefore he wiſhed the King would vouchſafe to apply a fit Remedy thereunto, for he could not diſſemble, but that againſt ſuch (as his Paſtoral Office required it of him) he ſhould by his Brethren execute what was his and their bounden Duty to perform; yet it was not his Intention that the King, Queen, or their Children ſhould be comprehended in this *Sentence* of *Excommunication*, as far as by Law or Right they might be excuſed.

[4.] **Id. ib.** The *ABp* commands the *Bps* of his Province to excommunicate all Invaders of the Church's Rights.

Then [4.] the ABp (to be as good as his Word) wrote to all the Bps of his Province, ‘Commanding them to declare *excommunicate* all ſuch as invaded the Rights of Churches, and all thoſe who through Malice infringed or diſturbed their *Liberties* or *Free Cuſtoms*; and eſpecially thoſe that violated the Antient *Liberties* and *Free Cuſtoms* of his Church of *Canterbury*, or in any manner diminiſhed them, or did any thing contrary to its Privileges: Alſo thoſe that diſturbed the Peace and Quiet of the Kingdom, or that gave Advice or Aſſiſtance to, or favoured them that did ſo: As likewiſe thoſe who by any Artifice whatſoever, ſhould violate, diminiſh, or change any of the Liberties and Free Cuſtoms contain'd in the *Great Charter*, or *Charter* of the *Foreſt*, privately or openly, by Word, Deed, or Advice, or the Antient Liberties and Free Cuſtoms granted by them to the City of *London*, ſhould be declared *Excommunicate*: And then he directs them to proceed in the ſame manner againſt all ſuch as impriſoned Clerks, or entred

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'tred into the *Houſes*, *Granges*, &c. of Archbiſhops, Biſhops, &c. as before.

The King writes to the Bp of *London* to vindicate His own Proceedings, and to recriminate the *ABp*, and gives an Account of the Tranſactions between them. [5.] Id. ib.

[5] When the King ſaw that the ABp went about to make himſelf popular, and by ſtanding up for the Liberties of the Church and Kingdom, to caſt all the blame upon Him and His Miniſters, He was exceedingly incenſed; wherefore to take off the Odium from Himſelf, and to recriminate upon the ABp, He wrote Letters to the Bp of *London*, and to the Prior and Chapter of *Canterbury*, in very high and ſevere Language; ſetting forth, 'how He had been uſed, and charged with many great Crimes; but firſt gives a Narrative of all the Tranſactions between Him and the ABp; as that being advanced to the See of *Canterbury* during His (*viz.* the King's) Nonage, He had put great Confidence in his Fidelity and Diſcretion, and uſing him as the Director of His Soul, and likewiſe of the Affairs of the Kingdom; and ſeeing the Kingdom of *France* devolved upon Him by Right of Succeſſion, but was uſurped by *Philip* of *Valois*, he with great importunity perſwaded Him to make a Confederacy againſt *Philip* with the *German* Princes, thereby engaging Him in a hazardous War, upon his promiſing and affirming, that he would cauſe the Expences of it to be defray'd out of the King's Revenues and Subſidies; and that relying upon this, He had gone beyond Sea, and enter'd into a War at a vaſt Expence, obliging Himſelf to His Confederates in great Sums of Money upon the Promiſes of the ABp; but this Aſſiſtance in Money not coming to Him, He was forced to contract vaſt Debts under exceſſive *Uſury*, inſomuch that He was not able to proſecute His Expedition, but forced of neceſſity to return into *England*; where declaring to the ABp His Streights and Miſfortunes, He called a Parliament, which gave Him the *Ninth*, as above, and the *Clergy* a *Tenth*; which if fully collected, and in due time, had probably been ſufficient for the carrying on His War with good Succeſs, and the payment of His Debts, to the no ſmall confuſion of His Enemies. Then He ſays, The ABp promiſed a ſecond time to aſſiſt Him effectually toward collecting the ſaid Subſidies, and adminiſtring other Neceſſaries; upon which, truſting to thoſe Promiſes, He again took Shipping to perſue His Right, and by God's help obtained a Victory over His Enemies, as has been before related: He afterwards beſieged *Turnay*, as aforeſaid, and everyday expecting from the ABp's prudent Management to be relieved (under thoſe His preſſing Neceſſities) with what had been promiſed Him, He found at laſt all His *Hopes* were fruſtrated; and tho by many Letters and Meſſengers He had ſignified to him and others of His Counſellors the great Exigences and Dangers to which He was expos'd for want of Money, yet He was only put off with frivolous Excuſes, by which they palliated their Fraud and Malice, ſo that He was forced full ſore againſt His Will to conſent to a Truce, ſo much to His Diſhonour, as well as to the loſs of His Expedition.

'That at length, all His Faithful Friends in theſe His *Adventures*, with whom He diſcourſed how He might beſt be delivered from His preſent Misfortunes, unanimouſly agreed, that the Fault lay wholy at the *ABp*'s door, and proceeded either from his Sloath or Negligence, if not his Malice; complaining againſt Him, that He had not before corrected the Inſolence of the ABp and His other Officers, and threatned, that if He would not do it ſpeedily, they would quit His Service, and withdraw themſelves from the Confederacy; that therefore for the

' Correction of thoſe Evil Officers, He had removed ſome of them from His Service, for oppreſſing the People, and taking Bribes; and others of leſs Note, He committed to Priſon; and then believing He might have a fuller Account of the Actions of His Officers from the Archbiſhop, to whom He had committed for a long time the Adminiſtration of all His Affairs, He ſent Sir *Nicholas de Cantelupe*, to command him to come forthwith to *London*, to diſcourſe with Him. Which, together with his Refuſal, being already related, I need not repeat.

' That He had ſent a ſecond time to him by Sir *Ralph Stafford* Steward of His Houſhold, with Letters of Safe-Conduct; to come to, and inform Him about the Affairs of His Kingdom; but that contemning His Requeſts and Meſſages, he (with an haughty and diſdainful Air) anſwered, That he would not come to, nor confer with Him, *but in full Parliament*; which at that time it was not expedient to convene. Then recounting His Great Bounty and Beneficence towards him, with the extraordinary Reſpect and Affection ſhown to him, and the mighty Truſt and Confidence He had in him; declares, how Ungrateful he was, and how much he had deceived Him: *Wounding His Innocence by railing at, and reproaching the Juſtice, Fidelity, and Diligence, of His Officers; by Preaching publickly, and ſending Letters into divers Parts, that by Royal Power, and againſt Juſtice, the People had lately been oppreſſed, the Clergy confounded, and the Kingdom over-burthened with Exactions, Taxes, and Talliages.*

The King ſets forth the Archbiſhop's Ingratitude;

And his Seditious Practices.

' But becauſe the Archbiſhop endeavour'd to obtain the Name of a Good *Paſtor*, which indeed he always wanted; (being by Common Opinion a Notorious Mercenary) he now took upon him to aſſert the Liberty of the Church; which, if it had been injured either in Things or Perſons, it was chiefly owing to his Remiſsneſs, crafty Inventions, and reprobate Councils; whilſt he wickedly pretended, That he had certain Sentences, and Articles of *Excommunication*, made in general againſt the Violators of Church-Liberty, and the *Great Charter*; on purpoſe to leſſen the Good Opinion His Subjects then had of Him; to defame His Miniſters, trayterouſly to raiſe Sedition amongſt the People, and to withdraw the Affections of the Earls, Barons, and Great Men, from Him. And laſtly, He concludes, That being obliged to ſecure His Reputation, and to obviate the Archbiſhop's Malice, He was now forced to publiſh ſome other of his Actions beſides thoſe above-recited: As that by his imprudent Advice, He had made ſo many exceſſive Gifts and Alienations of His Lands and Revenues, that His Treaſury was quite exhauſted, and His Crown-Rents much diminiſhed; and that being corrupted by Bribes, He had remitted ſeveral Sums of Money due to Him, and had given away much of His Revenues to Perſons not deſerving, or, at leaſt, converted them to his own Uſe; and had preſumed to attempt other things, to the Damage of His Eſtate, and Detriment of His Royal Dignity, and Grievance of His Subjects; abuſing the Power committed to him; commanding thoſe to whom his Letter was directed, to publiſh it, and cauſe others to publiſh it, in ſuch Places as they ſhould think convenient. Witneſs Himſelf at *Weſtminſter*, the *Twelfth* of *February*, in the *Fifteenth* Year of His Reign. * And the very ſame Complaints againſt the Archbiſhop, the K. ſent in a Letter to the Pope, tho' in ſomewhat ſmoother Language; and requeſted Him, that the

Arch-

* Rot. Rom. 14 *Ed* 3 m. 4.

The K. writes to the Pope againſt the Archbiſhop.

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Archbiſhop might be removed out of the Kingdom, for the Preſervation of the Publick Peace, and preventing the Dangers that might otherwiſe enſue. This was dated at *Langley* the *Fourteenth* of *March*.

[1.] Angl. Sacr. Vol. 1. p. 23. The *Archbiſhop* preaches in the Cathedral at *Canterbury*, and cauſes the King's Letter to the *Prior* to be read, and then anſwers it.

On [1.] *Aſhwedneſday*, being the *Twenty Firſt* of *February*, the *Archbiſhop* preached in the Cathedral of *Canterbury*; and at the end of his Sermon, he told the People there were certain Letters directed by the King to the Prior and Convent of *Chriſt-Church* againſt him, which he deſired might be read; Which was done accordingly by Order of the *Prior*, and the Contents of them publiſhed in the *Engliſh* Tongue; Againſt which the *Archbiſhop* in every Point defended his Innocence, and then admoniſhed the People to pray for the King, Queen, and their Children. And to thoſe that ſhould devoutly do ſo, and alſo pray for the State of *Holy Church*, being Penitent for their Sins, he granted Forty Days Indulgence from Purgatory. But the next day being the *Twenty Second* of that Month, the *Abbot* of St. *Auguſtin's* in *Canterbury*, to whom and his *Convent* the like Letters had been ſent, publiſhed them anew to the People in his own Church, expounding them in hatred to the Archbiſhop, that ſo they might have an ill Opinion of him: The reaſon of which was, that the *Abbots* of this Monaſtery had ſtill great Quarrels and Diſputes with the *Archbiſhops* of *Canterbury*, about their Privileges; of whom to be revenged the *Abbot* was glad of this Opportunity of publiſhing the King's Letter: Which likewiſe bears date at *Langley* the *Fourteenth* day of *March*.

The *Abbot* of St. *Auguſtin's* publiſhes the K's Letters to him, and juſtifies the King.

[2.] Id. ib p. 27. The *Archbiſhop* in Vindication of himſelf, writes the King an inſolent Letter, advancing the Power of the Clergy above that of the King.

Then [2.] the *Archbiſhop* being highly incenſed at theſe Proceedings, was reſolved further to juſtifie himſelf; and to this end, wrote to the King a bold and inſolent Letter; which being very long, I ſhall here only give you the Contents of it. The Title whereof is thus; *The Anſwer or Excuſe of the ABp to a Slanderous Libel*: Then addreſſing himſelf to the King by way of *Preface*, tells Him, 'That there were Two Things, by which the World was governed, the *Holy Pontifical Authority*, and the *Royal Subordinate Power*. Of theſe Two, the Charge of the Prieſts was the Greateſt and Higheſt; inaſmuch as they were in the laſt Judgment to give an Account of Kings themſelves: Wherefore He ought to know, that even they depend upon the Judgment of Prieſts, and might not be directed by their own Wills: for who could doubt, but *Chriſt's* Prieſts were to be thought the Fathers and Maſters of Kings, Princes, and of all Faithful People? Then he proceeds to tell Him, that many Biſhops had *Excommunicated* Kings and Emperors; and alſo to inform Him, what good Kings ought to do, and how they ought to behave themſelves towards Biſhops; and what Reverence, Honour, and Reſpect was due to them. After which, he complains, that the Honour due to him, in regard of his Dignity, and as he was his Spiritual Father, was turn'd into Diſgrace, and the Reverence into Contempt; whilſt His Epiſtles Sealed with the Royal Seal, but more truly, *Slanderous Libels*, dictated and written by his Enemies, containing many Crimes falſly imputed to him, were ſent to the Bps of his Province, and all the reſt of the Clergy, to be publiſh'd to his Injury and Diſgrace: By which unheard of Fact, *Royal Power* preſum'd to judge the *Lord God*, in his Servants and *Prieſts*, and He ſeemed to condemn him his Spiritual Father, and Greateſt *Peer* of the Land, againſt the Order of God, Human Law, and Natural Reaſon, being not called nor convicted by Record, and 'unheard; and that to the danger of His Soul, and as an ill Example, to the manifeſt prejudice of all the Peers of *England*.

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And then proceeds to juſtifie his own *Actions* in relation to the Things whereof he ſtands accus'd, and anſwers all the Points of his Charge.

'Then making large Profeſſions of his Affection to the King, and ſetting forth the great Services he had done Him, he proceeds to his Anſwer: And as to the firſt thing laid to his Charge, that when the Kingdom of *France* was devolved to Him by Right of Succeſſion, he had importuned Him to make a League with the *Almains*, to recover His Rights, and ſaid, He need only to find Soldiers, and he would find Money; which failing, the King was forced to contract great Debts upon Uſury: To this the *ABp* anſwered, That at the beginning of the King's *Government*, when himſelf was Bp of *Wincheſter*, it was known by whoſe Counſel He was governed; that afterwards when His Right to that Kingdom was ſo adjudged in the Parliament at *Northampton*, two Bps, *viz.* of *Worceſter* and *Coventry*, were ſent into *France* to lay Claim to it on His behalf, and to hinder the Coronation of *Philip de Valois*: which *Embaſſy* was the firſt occaſion of the War; but at that time He being not ABp, was out of favour at Court, (tho for what Reaſon God knows) yet afterwards when it pleaſed His Majeſty to call him, with others of His Council, to conſult of Publick Affairs, that they conſidering the danger of Mens Souls, Bodies and Goods by a devouring War, did all they could to make Peace between the Two Kingdoms; but that after all Endeavours for Peace proved unſucceſsful, and *Philip* had made War upon Him: Then in a Parliament at *Weſtminſter*, called for that purpoſe, ſeeing the Obſtinacy of the *French* K., it was agreed that He ſhould league with the *Germans* and others; but as for the payment of the Expences of His War, there were Agreements made with certain Merchants in a Council at *Stamford*, which are to be found in *Chancery*; which if they had been obſerved, theſe, together with other Subſidies, granted both by the *Clergy* and *Laity*, and the great Cuſtom of *Wool* (if well managed) would have been (as was thought by all the Council) ſufficient for the War.

Then the *ABp* utterly denies that theſe Agreements could be broken or changed by him, ſince thoſe Subſidies never came into his hands; for after the King's firſt going over, he (the ABp.) ſtaid not in the Kingdom, but went with the Cardinal Legates and the *Bp* of *Durham* into *France*, to treat of Peace, going often backward and forward, to and from the King then in *Brabant*, and with whom he ſtay'd, and was partaker of His Neceſſities; and that he with other Prelates and Great Men of *England* had been become bound for Him in great Sums upon Uſury.

'The Second Thing charged upon him in the King's Letters (he ſays) was yet more wonderful, *viz.* That when the *Ninth* was granted, he promis'd effectually to aſſiſt in the levying of it, and that by reaſon of the non-performance of that Promiſe, when the King lay before *Tournay*, He was forced to raiſe the Siege, and conſent to a Truce contrary to His Mind; to this he anſwered, That the whole Subſidy of the *Ninth*, for the firſt Year, was aſſigned to the King's Creditors before His ſecond going beyond Sea, as might appear by the *Aſſignations* themſelves; and therefore it was manifeſt that he neither promiſed to ſend, nor could ſend any thing to the Siege of *Tournay*, eſpecially not knowing when it began.

‘To the Third; That the Neceſſities and great Streights the K. was then brought into were by his Fault, Negligence and Malice, and that of his other Officers; and that when upon deſiring to have a better Information of His Affairs, He had ſent for him by two ſeveral Meſſengers, he refuſed to come; to this the *ABp* anſwered, by denying that he ever made Him any ſuch Promiſe of ſending Money to Him; and therefore ſuch as ſerved Him in the War had no reaſon to complain of his Fraud and Negligence; and again ſets forth how faithful and diligent he had been both then and at all other times in His Service; that as for thoſe who had brought Him into theſe Inconveniencies and Misfortunes, if culpable, they ought to be puniſhed; yet by Juſt, not Arbitrary Proceſs.

‘Then as for the two Meſſages that had been ſent to him, he anſwered thus; To the firſt, Sir *Nicholas Cantelupe* bringing the King's Letters of Credence, only cited and enjoined him to go into *Brabant* to diſcharge the *King*'s Debts, and ſtay there till they were paid; ſo that if he had been ſummon'd to have been at *London* with the *King*, (as His laſt Letters intimated) he muſt have been here and beyond Sea at the ſame time. To the Second; That Sir *Ralph de Stafford* came without any Letters, and by his bare Word cited him to come to the King, affirming, he ought not to fear any Treachery; but to this the *ABp* reply'd, That notwithſtanding the *King*'s Letters of Safe Conduct at firſt view ſeem'd ſufficient for his coming to, ſtaying at, and returning from His Councils, if he had been legally ſummoned, as he was not, yet the ſame day he received theſe Letters of Conduct, the Sheriff of *Canterbury* brought him the *King*'s Writ to appear at *London* before the *King* and *Council* upon a Contempt: So tho the *King*'s Letter gave him free liberty of returning, yet by His Writ, he was of neceſſity to fall into his Enemies hands, which became not His Royal Majeſty: Nevertheleſs, he was, and ſhould always be ready to anſwer what ſhould be objected againſt Him, before the Prelates and Peers, ſaving His State and Order.

‘As to what was charged upon him for publiſhing *Sentence* of *Excommunication*, and commanding it to be publiſh'd againſt the Violators of *Eccleſiaſtick Liberty*, and the *Great Charter*, to blacken the *King*'s *Reputation*, defame His Miniſters, and traiterouſly move *Sedition* amongſt the People, and to withdraw the Affections of the Earls, Barons, Nobles and Great Men from the King; ſince this ſeemed to affix the Crime of Treaſon upon him, in which caſe no *King* or *Temporal Lord* could be his Competent Judge, therefore he proteſted openly by theſe Preſents, That by what he now ſaid, or ſhould ſay, he intended not to prejudice *His State* in any thing, but wholly to decline Tryal by any Secular Judge whatever.

‘And Laſtly, As to his own Prodigality in giving away the Revenues of the Crown to undeſerving perſons, and waſting the Product of them, and converting the *King*'s Treaſure to his own Uſe, he utterly denies it, aſſerting again his Innocence, the Great Service he had done, and the Labour and Expences he had been at for the Crown: And near at the Concluſion of his Letter ſays, This may ſuffice for *Anſwer* to the Scandalous Libel at preſent, and wiſheth for the *King*'s *Honour*, it had neither been written nor publiſhed.

The *Original* of this *Letter* is very long, which the Curious Reader may find at large in the Firſt *Volume* of *Anglia Sacra*, and I wiſh that this *Abſtract* of it may not prove tedious to him; but I thought fit to inſert thus much, that ſo he may obſerve not only the *Original* and *Progreſs* of this Great Difference between the *King* and the *ABp*, but alſo how inſolently the *ABps* of *Canterbury* preſumed to carry themſelves towards their Sovereigns in thoſe days, and how much they exalted their pretended *Eccleſiaſtical Authority*, above the *Temporal*. How far the *ABp* was to blame in this Matter I will not diſpute, I only ſpeak as to the Manner of the Management of this Controverſie.

However [3.] the *King* was not at all ſatisfied with his long *Epiſtle*, to which He immediately afterwards return'd him a Brief *Anſwer*; wherein He firſt reproves him for his Inſolent and Undutiful Language, and tells him, 'That how much ſoever He honoured and revered His 'Spiritual Fathers, yet that He ought not to overlook their Offences 'when He ſaw them tend to the danger of Him and His Government: 'Then ſhews him his Miſtake when he complained he was condemned 'of Capital Crimes, being abſent and unheard; as if He (the *King*) 'in thoſe Letters wrote in His Own Vindication, had proceeded criminally againſt him; but forbids him and all other *Bps* to publiſh any '*Sentences* of *Excommunication*, or other Things againſt the *Rights* of 'His *Crown*, or derogatory to His *Royal Dignity* and *Prerogative*, as 'they had been always uſed by His *Progenitors*.

[3.] Id p.36. The K. is not ſatisfy'd with the *ABp's* Juſtification, and writes him a ſhort and ſevere *Anſwer*.

During this Controverſie between the *King* and the *ABp*. there was a * Parliament ſummon'd to meet at *Weſtminſter* on the *Monday* after the *Quindene* of *Eaſter*, or 23d of *April*, being *Eaſter Monday*; the Cauſes whereof were declared to be, how the *King* might be ſpeedily ſupply'd by the Grants made Him in the Parliament laſt Year, upon His going over in perſon againſt His Enemy *Philip* of *Valois*, great part of which was detained from the *King* by Evil Officers: Alſo Secondly, how a ſufficient Sum of Money might be raiſed for His preſent Neceſſities; after which Declaration was made in the King's Name, That whoever of His Subjects ſhould think themſelves hardly dealt with either by the *King*, or His Officers, upon Complaint and Proof thereof made, they ſhould have their Remedy.

The K. mons a Parliament.

* Rot. *Clauſ.* 15 *Ed.* 3. part 1. m. 37. dorſ.

To [4.] this Parliament the *ABp* came privately, tho he had no Writ ſent him, and almoſt as ſoon as it aſſembled, came to the K's Palace, attended with a great Company of *Clergymen* and *Knights*; but upon his Entrance into the *Houſe* the *High-Steward* and *Chamberlain* met him, who in the K's Name forbad him to enter the Parliament, until in the *Exchequer* he had undergone a Tryal concerning certain Crimes laid to his Charge: The *ABp*, leſt he ſhould move the King too much, went into that Court, and there took a *Copy* of the *Articles* of which his *Accuſation* conſiſted, and to theſe he promiſed to return an *Anſwer*, then with the K's leave he came into the Parliament Chamber for that time, and there before the Prelates and Lords of the Realm declared the Cauſes of his coming to be for the *Honour*, *Rights* and *Liberties* of the *Church*, for the *Profit* and *Commodity* of the *Realm*, and for the *Intereſt* and *Honour* of the *King*; and laſtly, that he might clear Himſelf in Parliament of ſeveral Crimes laid to his Charge, and publiſhed over all *England* to his Prejudice.

[4] *Antiq. Brit.* p. 235. To which the *ABp* comes privately, tho not ſummoned, and demands admittance, which is deny'd.

* Cot. *Abridg.* p. 30.
A great Debate ariſes among the Lords thereupon.

[5.] *Ant. Brit.* p. 236.
The *ABp* comes again to the Houſe, and being kept out, proteſts he would not ſtir till he had admittance.

This occaſion'd a * Great Debate among the Lords for ſome days about this Point, *Whether the Nobles of the Land ſhould be put to anſwer, except before their Peers in open Parliament?* And a *Committee* of the whole *Houſe* was appointed to draw up a Repreſentation of this Matter to be laid before His Majeſty; and they were alſo to enquire concerning the Crimes laid to the *ABp*'s Charge, and fairly to repreſent how far they thought him culpable: Whilſt theſe Things were in agitation, he came again to the *Houſe*, but [5.] was forbid by Sir *William Attewood* to enter the Room, ſo he ſtood at the Door, and being kept out by the Guard, took his Croſs into his own hands, and ſolemnly proteſted, That he would not ſtir from that Place till the King gave him leave to come into Parliament, or a ſufficient Reaſon why he ſhould not: Whilſt he thus ſtood there, certain Noblemen happening to come out, he beſought them to requeſt the K. on his behalf, and for the Right of his *Church* of *Canterbury*; this they kindly promiſed him to do. Theſe *Accuſations* were ſuppoſed to be contrived by the *Bp* of *Wincheſter*, the Lord *Darcy*, and *William Killesby*, the firſt being his ſecret, but the two laſt his open Enemies; yet at length by the Interceſſion and Favour of the Lords, the K. gave leave for his Admiſſion into Parliament, where he offered legally to purge himſelf of the *Crimes* objected againſt him; but he was referr'd to the ſaid Bps and Peers, who had his *Cauſe* under conſideration at that time.

[1.] *Cot. Abridg.* p. 31.
The King comes to Parl. and the *ABp* being admitted in, humbles himſelf to Him, and deſires an open Tryal, which the K. does not think fit to grant him.

On the [1.] 19th of *April* (being *Thurſday*) the *King* came into St. *Edward*'s (commonly called the *Painted*) *Chamber*, to whom, in ſight of the Lords and Commons then aſſembled, the *ABp* being admitted in, humbled himſelf, and required His Gracious Pardon; which upon the General Suit and Intreaty of the whole Parliament, His Majeſty granted Him; after which the *ABp* deſired, That whereas he was publickly defamed throughout the Realm, he might now be arraigned in open Parliament before his Peers; but the *King* anſwered, He would firſt attend to the Common Affairs, and after that examine leſs Matters. However a little after, without any more Accuſation, or Anſwer, the *King* of His own accord declared him legally diſcharged and excuſed. And thus ended the *ABp*'s Troubles, the Matter being no more reſum'd, he either appearing innocent, which is moſt likely, or however made ſo by the *King*'s *Pardon*; but I do not find he was ever employed by the *King* with the ſame Confidence as he was before, notwithſtanding what the Learned * Author of *Antiquitat. Britan.* relates to the contrary.

* P. 236.

Thus have I put together all the Proceedings againſt the Archbiſhop, that they may not interrupt the Thrid of other Affairs.

* Rot. Parl. 15 *Ed.* 3. n. 4.
The King demands how He ſhall be anſwered for His Subſidies ſtill in arrear.
† Ibid. n 42.
But the Great Men defer it till the K. anſwers their Petition.

I ſhall now proceed to the main Things that were tranſacted in this Parliament; where * in anſwer to the King's chiefeſt and moſt material Demands, how He might more ſpeedily receive the *Ninth* Fleece ſtill in arrear for the firſt Year, and how the like Subſidy (ſtill due) might be beſt raiſed for this ſecond Year before *Midſummer* next coming, to which they were deſired to give their *Anſwer* on *Saturday* next enſuing; but † the Conſideration of this Matter was put off until the *King*'s *Anſwers* to the *Petitions* of the Great Men, the Clergy and Commons, were reduced into *Statutes*; which being ſhown to the King, tho clogg'd with certain hard *Conditions* demanded by the Great Men and Commons, yet

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Which upon a new Grant of 30000 Sacks of Wool, He at laſt agrees to.

The K. paſſes all their *Petitions* into *Statutes*, which are proteſted againſt by the Great Officers of the Kingdom.

yet upon a new Grant of Thirty thouſand Sacks of *Wool* now made to Him in compenſation of the *Ninth* of the ſecond Year, He then ſeem'd content to agree to them; tho this were indeed no new Subſidy, but being very neceſſary and advantageous for His preſent Occaſions, He on that Conſideration paſſed all theſe *Petitions* into *Statutes*, which being read before the Great Officers of the Kingdom, they were required to ſwear to the obſervation of them, (as it might in their Places concern them); the Chancellor, Treaſurer, and ſome of the Juſtices made Proteſtation, that they neither conſented to the Subſtance nor Form of them, nor that they could keep them in caſe they were contrary to the Laws and Uſages of the *Kingdom*, which by Oath they were bound to obſerve; yet however theſe *Statutes* were then paſſed, and being put into the Form of a *Charter*, was ſealed with the Great Seal, and delivered to the Great Men and Knights of Counties.

* Ibid. n. 20.

* Ibid. n. 30. The King denies to have the *Great Charter* ſworn to, and why.

His *Anſwers* to the reſt of their *Petitions*.

Some of the K's *Anſwers* to the *Articles* or *Petitions* of the *Clergy*, brought in by the *ABp* and other *Bps* are remarkable; As for Inſtance; His* *Anſwer* to the Second *Petition*, That the *Liberties* of the *Church*, and all *Liberties* granted to any other Eſtate or Perſons may be kept; and that the *Great Charter* may be proclaimed again, and confirmed by Oath, to be obſerved; the *King's** *Anſwer* was, He was willing that the *Great Charter* and other *Liberties* ſhould be obſerved; which being already exemplify'd under the *Great Seal*, He thought was ſufficient, *and there was no need of ſwearing to it, conſidering that in the Kingdom there were already too many perjur'd*: (Which by the by ſhews that Oaths taken of courſe were no better kept in thoſe Times than they are in Ours.) To the Fifth, containing a Complaint againſt the K's Officers for having entered into *Religious* and *Parſonage-Houſes*, and by force taken away their Goods; and that further, they had by an Oath forced upon *Religious* Perſons and Parſons, enquired of things within their *Houſes*, and them ſo found, have carried away; His *Anſwer* was, That He would not that any Man ſhould enter into the *Church's* Fees againſt their *Liberties*, nor would that any of His Officers ſhould enter upon *Church Lands* or *Houſes* to take their Goods; but if *Lay-men* to defraud Him brought their Goods thither, He thought Himſelf wronged.

* Ibid. n. 32.

To the Seventh; That the K's Officers had levy'd of Parſons and Rectors of *Churches* the *Ninth Sheaf*, the *Ninth Lamb*, and the *Ninth Fleece*, when they ought only to have paid their *Tenths*; * the *Anſwer* was, He would not have their *Ninths* or *Tenths* to be otherwiſe paid than they were granted; that is the *Ninth*, by ſuch as held a *Barony*, or uſed to be ſummoned to Parliament; and then the K. granted for him and his Heirs, that if any Perſon do any *Act* againſt the Form of the *Great Charter*, or any other Good *Statute*, that he ſhould anſwer in Parliament, or other Place where he ought by Law to anſwer.

The Great Officers of the Km. for the future to be nam'd and ſworn in Parl. to maintain the *Liberties* of the *Church* and *Magna Charta*.

All the *Statutes* and Conditions abovementioned are enter'd in the Back of the Roll, and printed in the *Statutes* at large this Year, and are a true Tranſlation of the Record in *French*; where, among other things, in the third *Chapter* of theſe *Statutes* it was agreed, That the Chancellor, Treaſurer, Barons, and Chancellor of the *Exchequer*, the Juſtices of both Benches, Juſtices aſſigned in the Country, Steward, and Chamberlain of the K's *Houſe*, Keeper of the Privy-Seal, Treaſurer of the *Wardrobe*, Comptrollers, and thoſe that were appointed to remain

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main and be about the Duke of *Cornwall*, ſhould be named and ſworn in Parliament, and ſo from thenceforth at all times, when they ſhould be put in Office, to keep and maintain the Privileges and Franchiſes of *Holy Church*, all the Points of the *Great Charter*, the *Charter* of the *Foreſt*, and all other *Statutes*, without breaking any of them.

Theſe *Statutes*, and the Conditions abovementioned, are entered on the back of the Roll, and are printed at large in our *Statute Books*.

[3] *Vid.* printed *Stat.* 15 *Ed.* 3. The King to put in new Officers in the room of thoſe that ſhould die or be removed bv advice of Parl.

In the [3.] Fourth *Chapter* it was alſo agreed, That if any of the Officers aforeſaid, or Chief Clerks in either Bench ſhould die or be removed, that the King ſhould put in another, by the Advice of His Great Men and thoſe about Him, and theſe Officers were to be ſworn according to the Form aforeſaid; and at the beginning of every Parliament, the Offices of all the ſaid Miniſters (except the Juſtices of both Benches, and the Barons of the *Exchequer*) were to be taken into the King's hands, that they might be the fitter to anſwer any Complaint that ſhould be put in againſt them; and if upon ſuch Complaint, or otherwiſe, any of them ſhould be found faulty, then to be attainted in Parliament, and puniſhed by Judgment of the Peers, and ouſted of his or their Office, and another Convenient Perſon put in his Place; and the King was to cauſe Execution to be done without delay, according to the Judgment of the Peers in Parliament.

It is very probable that theſe *Statutes* concerning Officers were Contrivances of the *ABp, Bps*, and *Clergy*; for it was a great vexation to them, that the *Chancellor*, *Treaſurer*, and many other Officers who had been *Clergymen*, and were lately put out of their Offices (as hath been related) upon the King's arrival in *England*; and that others who were Lay or Secular Perſons ſhould be placed in their ſtead.

[4.] *Vid.* printed *Stat. Book*, ib. The King not long after repeal'd the *Statutes* made this *Parl.*, as derogatory to His Royal Prerogative; the Sum of the Writ concerning it.

[4.] But I muſt here obſerve, that the *Statutes* abovementioned were ſome Months after the making of them (that is, on the firſt of *October* next enſuing) revoked by the King's Writ or Proclamation, as contrary to the Laws and Cuſtoms of the Land, His Prerogatives and Royal Rights; as appears by the Writ it ſelf (of the ſame date), directed to the Sheriff of *Lincoln*, printed at large in the *Statute Book*; as likewiſe appears by a * Writ directed to the *ABp* of *Canterbury*; the Effect of which is much the ſame with that to the ſaid Sheriff; ſetting forth, 'That whereas in the laſt Parliament at *Weſtminſter*, *&c.* there were certain *Petitions* made, not only expreſly contrary to the Laws and Cuſtoms of *England*, but alſo very prejudicial and reproachful to the Royal Dignity, which if the King had not permitted to be made into a Statute, the ſaid Parliament had ended without Succeſs, and been diſſolved in Diſcord, and ſo His Wars with *France* and *Scotland* had likely come to nothing; wherefore having * *præmitted* a Proteſtation of revoking thoſe things when He could conveniently tho He had permitted the ſaid *Statutes* at that time to be ſealed with His Seal, yet that by the Advice and Aſſent of the Earls, Barons, and other Wiſe Men, for Lawful Cauſes, as for that His Conſent was wanting to the making of them; tho then (as it behoved Him) He diſſembled in the Premiſſes, to avoid the Dangers which by denying of the ſame He fear'd would enſue; He therefore hereby declared it null and void, and that it ought not to have the Name and Force of a Statute.

* *Rot. Clauſ.* 15 Ed. 3. *part.* 3. m. 25. dorſ. printed in Dr. *B*'s Append. n. 88.

* *Præmiſis Proteſt.*

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A Remarkable Clauſe in the Writ to the *Archbiſhop*.

But there is ſomewhat peculiar in this Writ to the ABp, quite different from that to the Sheriff abovementioned, *viz.* 'That ſince He (the King) underſtands that he had ſummoned a Provincial Council to meet at *London* on the Morrow after St. *Luke* next enſuing, in which he intended to excite the *Bps* of His Province againſt Him (the King) and to ordain and declare ſome things to His prejudice, about confirming the ſaid pretended *Statute*, and to the depreſſion and diminution of His Royal Rights and Prerogatives, for the Preſervation whereof he is bound by Oath, &c. and further, that he, the *ABp*, intends to promulge grievous Cenſures concerning theſe things; wherefore the King being willing to prevent ſo great a Miſchief, does ſtraitly forbid the *ABp* to propound, or any ways attempt any thing in that Council, in derogation or diminution of His Royal Dignity, Power and Rights of the Crown, or of the Laws and Cuſtoms of the Kingdom, or in confirmation of the ſaid pretended Statute, or in contempt of His Honour, or to the diſadvantage of His Counſellors and Servants: And then concludes with a Threat, That if the *ABp* did theſe Things, He would proſecute Him as His Enemy, and a Violator of His Rights, with as much Severity as lawfully He may. Witneſs the King at *Weſtminſter* the firſt of *October*.

This Repeal by the King alone is afterwards confirmed in Parl.

But tho it muſt be granted that this was a high ſtretch of the King's Prerogative, and ſuch as our Times would not bear, yet even then when neither the *Bps*, *Barons*, nor *Commons* in *Parliament* ever gave their Conſents to this Revocation, they were not at all ſatisfied with this Precedent; for in the next Parliament of the 17th of this King, this Statute abovementioned was by them legally made void and repeal'd, (without any mention of the King's late Writ or Proclamation) as appears upon the Statute Roll, tho not printed in our Statute Books; the * Record is in *French*; and is thus render'd into *Engliſh*; *Alſo it is accorded, and aſſented unto, that the Statute made at* Weſtminſter *in the* Quinden (i. e. *fifteen days*) *after* Eaſter, *ſhall be wholly repealed and annulled, and loſe the Name of a Statute, as being prejudicial and contrary to the Laws and Uſages of the Kingdom, and the Rights and Prerogatives of the King. But for that there are ſome Articles in the ſame Statute, which are reaſonable and agreeable to Law, 'tis agreed by the King and His Council, that thoſe Articles, and Others accorded in this preſent Parliament, ſhall be made into a New Statute, by the Advice of the Juſtices and other Sages, which ſhall be perpetual. Yet that ever any ſuch Statute was made, I do not find.*

The Evil Conſequences of printing the Writ of Repeal without the Subſequent Statute.

This *Revocation* very well deſerves our further Remark; for ſince no more than the K's *Writ* to the Sheriff of *Lincolnſhire* was thought fit to be printed by thoſe who firſt publiſhed the *Statutes* in *Engliſh*, without the Subſequent *Statute* laſt mentioned, it hath been commonly made uſe of by the high Aſſertors of the Royal Prerogative, as a ſufficient Precedent to prove, that the King alone has a Power to make void and repeal any Law or Statute that He ſhall judge derogatory to His Prerogative, or the Laws and Cuſtoms of the Realm; and He needs no more but to ſay as King *Edward* did in this caſe, That He diſſembled in the Premiſes, and never gave His free Conſent, but only to avoid greater Dangers, or to obtain a Subſidy when He needed it to carry on His Wars: But the Lords and Commons were not ſatisfy'd with this Doctrine, and tho they would not quarrel with the King as to

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* Rot. Parl. 17 *Ed.* 3. n. 23. printed in Dr. *B*'s Appen. n. 89.

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what was paſt, yet it is evident they were not ſatisfied with His Prerogative in vacating this *Statute*, or elſe there had been no need for them to have made another Repeal of it: And tho the Learned Mr. *Barnes* in his Elaborate *Hiſtory* of this King's Reign, hath been ſo candid as to recite *verbatim*, not only the K's *Writ* of *Revocation*, but the unprinted Statute laſt mentioned, yet he looks upon it as a *meer Reſult of the King's Prerogative Royal, in thoſe days eſteemed of ſufficient force, and as ſuch afterwards confirm'd by Act of Parliament*: Which I can by no means gather from this *Statute*, but rather conclude the contrary from this *Inſtance*.

There were then alſo ſome other Petitions made by the Commons, for which, together with the K's *Anſwers* to them, as being now obſolete, I refer the Reader to the Parliament-Rolls, or elſe to the *Abſtract* of them in *Cotton's Abridgment*. But before I leave this Parliament, I ſhall take notice, that the neceſſitous Condition of the K's Affairs requiring Twenty thouſand Sacks of *Wool* to be tranſported before *Michaelmaſs* next coming; it was then provided, that no man before that time ſhould ſend beyond Sea any *Wool*, on pain of thrice the value, and loſs of Life and Member.

It is provided in Parl. that none ſhall ſend Wool beyond Sea till the K's is tranſported.

We ſhall now paſs to ſomething of Foreign Affairs: Not long after the making of the late Truce, the King of *France* (like a wiſe Prince) did all He could to ſtrengthen Himſelf with Foreign Alliances againſt the time that the War might be again renewed by the King of *England*; and finding none more able to do Him hurt than *Lewis* the Emperor, He deſired to gain His Friendſhip, for which there was now a fair Opportunity offer'd it ſelf; for His firſt Wife being deceaſed, He had newly married the Niece of K. *Philip* by His Siſter; and the Emperor Himſelf was alſo the more inclin'd to make Peace with that King, becauſe of the great Intereſt He knew He had with the *Pope*, and that it was by His Interceſſion that He might expect an Abſolution from His ſo long continued Excommunication. Upon theſe Conſiderations and Encouragements K. *Philip* diſpatched Ambaſſadors to the Emperor for that purpoſe, who [5.] not only made a firm League with Him, but one of the chief Conditions of it was, That He ſhould revoke the *Bull* or *Charter* which He had formerly made to K. *Edward*, to be Vicar of the Empire, which He conſented to; and therefore thought fit to ſignifie ſo much to the King by a Letter He ſent Him.

The *French* King ſends His Ambaſſadors to the Emperor to deſire Peace. [5.] *H. K.* col. 2580.

[1.] *T. W. ad An.* 1340. *ſed falſò.* The Emperor writes to K. *Edward*, wherein He lets Him know He had made Peace with K. *Philip*, and offers His Mediation to do the ſame for the King.

[1.] Wherein after ſome previous Complements, He proceeds to let Him know, 'That *Philip* K. of *France* had given Him Authority by His
'Letters to mediate a Peace between them; which, tho incumber'd with
'many great and weighty Affairs, He was willing to undertake, it being
'very expedient for, and advantageous to K. *Edward*, His Kingdom and
'Allies; if He would give Him like Power by His Letters, to treat of,
'and make a Peace or Truce for a Year or two. Nor ought the Friend-
'ſhip enter'd into and contracted between Him and *Philip* K. of *France*
'to move K. *Edward*; for ſince He Himſelf had made Truce and A-
'greement (meaning the late Truce at *Tournay*) with K. *Philip* with-
'out His knowledge or Aſſent, He (the Emperor) by Advice of His
'Princes, (who beſt underſtood His Leagues and Agreements, and
'thought a Friendſhip with the ſame Prince might be made with ho-
'nour) had enter'd into League with Him; and therefore for the Cauſes
'before noted, He thereby revoked His Commiſſion, by which He had

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‘made Him His Vicar of the Empire; yet notwithſtanding lets Him know, that in His Mediation and Treaties He would take care of Him like a Brother; and if He would acquieſce in His Advice, His Cauſe ſhould be brought to a good End by His Aſſiſtance: And therefore for His further Information, He had ſent to Him one of His Chaplains of the Order of *Hermites*, who, He deſired, might ſpeedily be ſent back. Theſe Letters were dated at *Frankfort*, the *Four and Twentieth* of *June*, in the *Twenty Seventh* Year of His Empire.

And further revokes His Commiſſion of Vicar of the Empire.

[2.] Tho' K. *Edward* was inwardly vexed at the Emperor's thus quitting His Confederacy, and making ſo ſtrict an Allyance with the *French* King, and at the revoking His Imperial Bull, yet He was too prudent to expreſs any publick Reſentment of it; but return'd Him an Anſwer to this effect: ‘He firſt lets Him know, that He had received His Letters with Reſpect; then commends His Zeal for offering to make an Agreement between Him and *Philip* of *Valois*; and tells the Emperor, that He always wiſh'd for a Reaſonable Peace with Him, which He had perſued as much as in Honour and Juſtice He ought; and that He deſired, ſuch a Peace as He wiſh'd for might be procured at the Inſtance of ſo Great a *Mediator*. But, becauſe He knew His own Right to the Kingdom of *France* to be ſufficiently clear, He would not commit it to any doubtful Arbitration of Judgment; and much wonder'd, that He ſhould join with *Philip*, that had done Him ſo many Notorious Injuries, ſeeing the evident Juſtice He had for His Demands, and *Philip's* Obſtinacy in not complying with them, He had for that reaſon entred into a League with Him. And as to what was ſaid, that He, without His Knowledge or Aſſent, had made a Truce, and entred into a Treaty of Peace with *Philip*; conſidering the Circumſtances of the Fact, it ought not rationally to have moved Him, becauſe at that time He beſieged *Tournay*, and ought to follow the Advice of thoſe that were with Him, and gave Him their Aſſiſtance: Conſidering alſo, that Winter was coming on, and the Diſtance between them, He could not be permitted to conſult Him. And further, He put Him in mind, that He had granted, that when He had an Opportunity, He might Treat without His knowledge; but ſo, as not to make a final Peace with *Philip* without His Conſent, which He never intended to do. It ſeemed alſo to ſome, that the Revocation of the Vicarſhip was too ſuddenly done; when, according to the Agreement made by His Imperial *Bull*, it ought not to have been done, until He had obtained the *Kingdom* of *France*, or the greateſt Part of it. Dated at *London*, the *Eighteenth* day of *July*, in the *Second* Year of His Reign over *France*, and over *England* the *Fifteenth*.

[2.] Id. ib.

K. *Edward's* Anſwer to the Emperor's Letter.

But tho' the King, by the Emperor's thus quitting His Party, loſt the Confederacy of the *German* and *Belgick* Princes, yet not long after, He had an Opportunity offered Him of making War upon *France* another way, and that without any Breach of the late Truce; ſince He acted for the Aſſiſtance of a Confederate Prince. I ſhall here briefly give you the Occaſion of it.

[3.] Some Months after the Siege of *Tournay*, *John* D. of *Bretaign*, who had there ſerved the K. of *France*, fell ſick, and died in *Normandy*, the *Thirtieth* of *April*, in his Return home, without any Iſſue,

[3.] *Froiſſ.* ib. c. 65.

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The Death of the Duke of *Bretaign*, and the Contention that aroſe between the Competitors for that *Dutchy*.

John Earl of *Montfort* ſeiſes upon the Chief Places in it, and is own'd for Duke of *Bretaign*.

[4]. Id. c. 66, 67.

[5.] *Froiſſ.* ib. c. 69.

Montfort implores K. *Edward*'s Aſſiſtance againſt the E. of *Blois*.

tho' he had been thrice married. Upon whoſe Deceaſe, there aroſe a great Contention between *Charles* Earl of *Blois*, and *John* Earl of *Montfort*, who ſhould be his Heir. Their Titles ſtood thus: *Arthur* the *Second* Duke of *Bretagne*, Father to the Deceaſed, had by his firſt Wife one Son, who died before his Father, and left only one Daughter, who had been married ſome Years before to Count *Charles* of *Blois*, Nephew to the *French* King. But beſides this Son, Duke *Arthur* had another by a Second Wife, *viz.* *John* Earl of *Montfort*; who being in *Bretagne* at the Death of his Half-Brother, not only ſeiſed all his Treaſure, with which he ſecured his Brother's Soldiers to his Intereſt, but alſo being very well beloved, [4.] he poſſeſſed himſelf of the Towns of *Nants*, *Breſt*, *Rhennes*, and the Caſtle of *Hennebond*, with other ſtrong Places; ſo that moſt Part of the Nobility did Homage to him, and owned him for their Duke.

But [5] *Montfort* being ſenſible, that he ſhould not be able by his ſingle Force, to defend himſelf againſt the K. of *France*, who, he was certain, would ſide with the Earl of *Blois* againſt him; went over privately into *England*, and offer'd K. *Edward* to hold that Dutchy of Him by Homage and Fealty, if He would defend him againſt the *French* King, and all Others, who ſhould give him any Diſturbance. The *King* accepted his Offer, and thought He ſhould have great Advantage by it; as not having a nearer and more Commodious Way of entring *France*, than through *Bretagne*: For He had found by experience, that the *Germans*, *Brabanters*, and *Flemings*, had been no great Help to Him, but had only drain'd Him of His Money. After Earl *John* had done his Homage to K. *Edward*, in the Preſence of divers Lords of *Bretaign* and *England*, He thereupon promiſed to aid and defend him, as His Liege-Man, againſt the *French* K. and all others; after which the Charter of Homage, and *Articles* of *Agreement*, being Sealed and Delivered inter-changeably, and E. *John* having been nobly preſented by K. *Edward*, he return'd home.

[1.] Id. ib. c. 70.

The *French* K. ſummons the Count of *Montfort* to appear at *Paris*, which he obeying, and fearing Judgment would be given againſt him, eſcapes from thence.

[1.] The *French* K. knowing what the Count of *Montfort* had done in *Bretagne*, and hearing likewiſe of the Homage he had made to the K. of *England*, for that Dutchy; He was, at the Requeſt of the Earl of *Blois*, ſummoned to appear at the Parliament of *Paris* before the *King*, His *Peers*, and other Great Lords of *France*. He appeared according to the Summons; and when the *King* charged him with having done Homage to His *Adverſary*, the *King* of *England*, he denyed it: However, he was commanded, upon pain of loſing all he held of Him, that he ſhould not depart from *Paris* in *Fifteen* days; within which time, the *Twelve* Peers, and other Lords and Barons, ſhould judge of his Right. But he expecting no equal Juſtice from them, ſuddenly and privately withdrew from *Paris*, and return'd into *Bretagne*.

[2.] Id. c. 71. Vid. Hiſt. de Bretaign, per D^r Argenter.

He has Sentence of Arreſt pronounced againſt his Title to *Bretaign*, in the Parliament at *Paris*.

[2.] Immediately after his Departure, the Great Court of the Peers and Lords of *France*, again Aſſembling at *Conflans*, pronounced a Solemn *Arreſt* or Sentence againſt Him, concerning the Dutchy of *Bretaign*; That it belonged to *Mary*, the Wife of the ſaid Earl of *Blois*. And further, their Judgment was, That if ever the Earl of *Montfort* had any Right, he had doubly forfeited it: Firſt, By doing Homage to any other Lord than the K. of *France*, of whom he ought to have held it; and then, By diſobeying the *King*'s Commands, in going from *Paris* without His Leave. No ſooner was this Sentence paſſed

againſt

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The Earl of *Blois* enters *Bretagn* and takes Count *Montfort* Priſoner, who is ſent to *Paris*.

againſt Him; but the Earl of *Blois* with a great Army from the King of *France* enter'd *Bretagne*, and ſurprized and took the Count of *Montfort* Priſoner in the City of *Nantes*, by the Treachery of the Townſmen, from whence he was ſent to *Paris*, and kept Priſoner a long time. *Froiſſart* ſuppoſes him to have deceaſed this Year, but he is therein greatly miſtaken; for he ſuffer'd about three Years Impriſonment, and then obtain'd his Liberty, but died ſoon after; which perhaps might lead that Author into this Error: But he is right enough in placing theſe Things about the Feaſt of *All-Saints* this Year.

[3.] Id. ib. Cap. 73. Whereupon his Counteſs carries on the War in his Name.

She implores K. *Edward*'s aſſiſtance.

[4.] *Vid.* Contin. *Guil.* de *Nangis. Du Cheſne. Mezeray.*

[3] But the Matter did not end ſo, for *Margaret*, Wife to the Earl of *Montfort*, and Siſter to the Earl of *Flanders*, a Lady of a Maſculine Spirit, was not caſt down at this Misfortune, but being then in the City of *Rhennes*, went from thence to all the Good Towns and Fortreſſes that continued in her Intereſt, and carrying with her the Lord *John* her Son, then a Child, ſhe by his Preſence, but more by her own Perſwaſions, ſecured them firmly to her; which being perform'd, ſhe retired to the ſtrong Town of *Hennebond*, where (as *Froiſſart* relates) ſhe ſtay'd with her Son all that Winter, and the next Spring ſhe was beſieg'd by the Lord *Charles* of *Blois*, but in the mean while ſhe had ſent to implore King *Edward*'s Aſſiſtance. This tho true in Matter of Fact, yet our *Author* is certainly miſtaken in point of Time, for it appears from the Authority of all the [4.] *French Hiſtorians*, as well as from other Circumſtances, that all theſe Great Actions of this Counteſs were done this *Autumn*, and part of the enſuing *Winter*, and therefore I ſhall here inſert them altogether.

[5.] Id. c. 79. The *Count de Blois* again invades *Bretagn*, whereupon the *Counteſs* ſends into *England* to implore the King's aſſiſtance, which He immediately grants.

The Lord *Manny* is ſent with ſome Forces, but they are detained by contrary Winds.

The *Counteſs* is beſieged in the *Caſtle* of *Hennebond*, and makes a vigorous Effort in her own perſon to raiſe the Siege.

[5.] Though the Counteſs of *Montfort* had ſecured her ſelf in the Town of *Hennebond* (as you have already heard) yet had ſhe not Forces ſufficient to take the Field; ſo that Count *Charles* of *Blois* not long after the impriſonment of the Earl of *Montfort* again enter'd *Bretagn*, to reduce what remain'd unconquer'd under his Obedience. But upon the firſt news of this Invaſion, the Counteſs ſent the Lord *Amery de Clyſſon* into *England* to deſire Succour of King *Edward*, offering her only Son and Heir in marriage with one of the King's Daughters; which (tho it could not then take effect, yet) was conſummated ſome Years after, as you will find in its due place: This Offer was then readily accepted by King *Edward*, and He preſently order'd Sir *Walter Manny* to go over and aſſiſt the Counteſs with as many Men at Arms as ſhe deſired, beſides Three thouſand Archers; but theſe Forces being put on Shipboard, were detained above ſix Weeks at Sea by contrary Winds, ſo that her Affairs were reduced to the laſt extremity before they could arrive; for Count *Charles* of *Blois* being backed by a powerful Army from *France*, had taken the City of *Vannes*, reſolving to put a ſpeedy period to the War, had laid cloſe Siege to *Hennebond*, in which the Counteſs and her Son then were, and made ſuch furious Aſſaults upon it, that had ſhe not behaved her ſelf with a Courage above her Sex, and even equal to that of moſt Men, they had both loſt ther Liberties, together with the Place. After a ſharp Aſſault which the *French* made upon it, ſhe finding it could not be preſerved without ſome extraordinary Effort, armed her ſelf *Cap a Pied*, and mounting on Horſeback, rode from Street to Street, deſiring the Men to make a Vigorous Defence; and She order'd the very Women to tuck up their Coats, and to carry Stones and Pots of Quick-Lime

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to the Walls, and throw them down upon the Enemie: And not only this, but ſhe perform'd Actions almoſt incredible, were they not atteſted by the *Writers* of that Time; for in the next Aſſault the *French* Army made, ſhe aſcending a Tower to behold the Succeſs, obſerved, that whilſt the *French* were aſſaulting the Town with all their Forces, their Camp was left unguarded; whereupon ſhe took Horſe, and armed as ſhe was before, ſally'd out with Three hundred choſen Men, and fetching a Compaſs to prevent being diſcern'd, fell into the *French* Camp, (in which there were few beſides Servants) and cut down, and ſet fire on the Tents and Pavilions: So ſoon as the Enemy perceiv'd this by the Smoak, they ſuppoſing ſome Treachery, preſently left the Aſſault, and returned to defend their Camp; but when the Counteſs ſaw them coming, ſhe rally'd her Men, and finding ſhe could not with ſafety return the ſame way ſhe came, took another, and made toward *Breſt*, which was above two and twenty *French* Miles from thence, and tho ſhe was cloſely perſued by a Party of *Horſe*, led by Prince *Lewis* of *Spain*, then Marſhal of the *French* Army, yet ſhe out-rode them, and getting into *Breſt*, was received with great joy by the Inhabitants. However, ſhe ſtaid not long there, for having reinforced the ſmall number ſhe had brought with her, with Five hundred Freſh Men at Arms, on the fifth day after her coming thither, ſhe returned back to *Hennebond*, and paſſing thro a part of the *French* Camp, which was but weakly guarded, got in at the ſame Gate from whence ſhe had ſally'd out, which was preſently opened to her, and there ſhe was received not only with all poſſible Demonſtrations of Joy, but with wonderful Aſtoniſhment, for they did not know till then what was become of her.

[1.] Id. c. 89.

This [1.] *Action* highly raiſed the Courage and Valour of her People in the Town, but at the ſame time likewiſe it did the more ſtir up and exaſperate the Fury of the Enemy, for the Siege was carried on by Prince *Lewis* with more fierceneſs than before, in the abſence of Count *Charles*, who was employ'd in the Siege of *Auray*; but the Walls at laſt were ſo mightily ſhatter'd by the great Stones that were thrown from the Engines, that it made the Bp of *Leon*, and other perſons in the Town deſirous to treat about a Surrender; and they had done it, but that the Counteſs happily interpos'd, and only begg'd three days reſpit of them, within which time (ſhe ſaid) ſhe hoped the Succours from *England* would arrive; which falling out very ſeaſonably according to her Expectation, the Lord *Manny* with his Forces were there joyfully received; and as this added freſh Courage to the Beſieg'd, ſo it diſpirited the Beſiegers to that degree, that the Lord *Manny* making a briſk Sally ſoon after his Arrival, with about three hundred Archers, beſides a few Men at Arms, they not only broke into the *French* Camp, but deſtroy'd the chiefeſt battering Engine they had; ſo that finding it impoſſible at that time to take the Town, they thought it beſt to raiſe the Siege, and march off.

The Town juſt ready to be ſurrender'd, is relieved by the Lord *Manny*.

[2.] Id. ib. Who not being ſtrong enough to given battel, only takes ſome *Caſtles*, and routs *Don Lewis* of *Spain*.

The [2.] War was continued the reſt of this Winter with various ſucceſs; Sir *Walter Manny* not long after took the Field with a tolerable good Army, yet however he found himſelf not ſtrong enough to give the Enemy Battel, nor yet to lay ſiege to any conſiderable Place, tho he took ſome Caſtles, as that of *Conqueſt* and *Goryla* Foreſt, and routed *Don Lewis* of *Spain*, who commanded part of the *French* Army

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in *Bas-Bretagn*, and killed his Brother, with a great number of his Men; but the Forces of Count *Charles* of *Blois* were ſo much ſuperior to his, that they took the Towns of *Dinant* and *Auray*, as alſo the City of *Vannes*, and the Towns of *Karais*, and then returned back, and laid freſh ſiege to *Hennebond*, but it was again as valiantly defended by Sir *Walter Manny*, being encouraged by the preſence of this brave Counteſs her ſelf; inſomuch that the *French* finding it too ſtrong to be taken by force, reſolved to raiſe the Siege, and ſince Winter was now far advanced, they retreated to put their Army into Quarters of refreſhment.

The Count *de Blois* takes *Dinant* and *Auray*, and again beſieges *Hennebond*, tho in vain.

[4.] During this time of Receſs, both Parties being tired, a Truce was at laſt concluded between Count *Charles* of *Blois*, and the Counteſs of *Montfort*, and conſented to by all their Allies, to endure to the 15th of *May* next enſuing; whereupon ſo ſoon as the *Articles* were ratified, ſhe, together with her Son, took Shipping, and went for *England* under the Conduct of the Earl of *Northampton*, and arrived in ſafety at *Plimouth*, from whence ſhe was honourably convey'd to the K. and by Him received very graciouſly. He likewiſe took care of her Son the Lord *John*, who ſome Years after married the King's Daughter, but in the mean while was educated in *England*, and brought up in all Manly Exerciſes befitting a young Prince that was to fight for, and recover his Dominions by the Sword, before ever he could enjoy them.

[4.] Id. ib. A Truce is concluded between Count *Charles* and the Counteſs, who thereupon goes over into *England* with her Son.

Froiſſart makes the Counteſs of *Montfort* to have come over into *England* about the latter end of *November*, 1342, and to have ſtay'd here all this Winter, and then to have return'd into *Bretagn* the beginning of the Year, *Anno Dom.* 1343, in the Company of the Lord *Robert* of *Artois*, whom the King ſent over to her Aſſiſtance; but this muſt certainly be a Miſtake in our Author; for all our *Hiſtorians* both in Print and MS, which are alſo confirmed by our Records, agree, that King *Edward*'s Expedition into *Bretagn*, was not till after the Death of the ſaid Lord *Robert*, *viz.* in the ſixteenth Year of His Reign, being the Year 1342: And there is likewiſe another Infallible Proof for it, that the next Truce which was made before *Vannes*, bears Date the 19th of *January* that Year, or elſe *Anno Dom.* 1343, if it be reckoned according to our Account to begin at *Chriſtmaſs*.

Froiſſart's miſtake in the Counteſs's coming over rectify'd.

This I thought fit to take notice of, ſince this Error of *Froiſſart* hath led divers of our Modern *Hiſtorians* into the ſame Miſtake, and particularly the Learned Mr. *Barnes*, in his large *Hiſtory* of this King's Reign.

We ſhall now return to the Affairs of *England*, from which we have made too long a Digreſſion, were it not that they are ſo interwoven with thoſe of *Bretagn*, that they cannot well be ſeparated, eſpecially ſince it gives us the Original and Progreſs of that great Quarrel between the Potent Families of *Blois* and *Montfort*, which was carry'd on, though with various ſucceſs, for the ſpace of above Twenty Years.

In the mean while nothing happened here conſiderable, but that [5.] Queen *Philippe* was on the fifth of *June*, brought to Bed at *Langley* in *Hertfordſhire* of Her Fifth Son, who was called *Edmund*, and was afterwards Duke of *York*. King *Edward* having now a ſhort Interval of Peace, to expreſs His Joy at His Son's Chriſtening, (tho *Froiſſart* will needs

[5.] *T. W. In hunc Ann.* The Queen is brought to bed of Her fifth Son, called *Edmund*.

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needs have it to be for the Love of the Counteſs of *Salisbury*) proclaimed a Solemn *Tourneament* at *London*, to which reſorted many Noblemen and Knights from Foreign Parts, who took delight in ſuch Manly Exerciſes, which were then maintained with great Magnificence for fifteen days together.

* L. 15.
† L. 9.
A Miſtake of the *Scotiſh* Hiſtorians confuted.

* Id. c. 70.
The *Scots* beſiege the Caſtle of *Sterling*.

Upon which K. *Edward* raiſes a great Army to reſcue it.

But before His arrival the Beſieged are forced to ſurrender upon Conditions.

To ſay ſomewhat of the *Scotiſh* Affairs: what * *Hect. Boeth.* and † *Buchanan* relate, That K. *Edward* immediately after the Truce at *Tournay* invaded *Scotland* with a great Army of Forty thouſand Men, and being preſſed for want of Proviſions, was forced to grant the *Scots* a Truce for four Months, is a great Miſtake; for the *Scots* had been included in the late Truce with *France*, and that it was obſerved for great part of the laſt Year, is as certain; but that they begun the War again in this, we have * *Froiſſart*'s Authority for it; who relates, That about *Midſummer* the *Scots* under the Conduct of Sir *William Douglas* beſieged the Caſtle of *Sterling*, and becauſe he knew, that K. *Edward* being now at home, it was not probable the Siege could laſt long without ſome Powerful Diverſion, he therefore uſed the greater Fury in all his Attacks, hoping thereby to carry the Place before any Succour ſhould arrive; but King *Edward* about the beginning of *September*, being alarm'd at the News of theſe Motions of *Scotland*, came to *Tork*, having before iſſued out His Commands to His Lords and Military Tenants, to meet Him with their ſeveral Retinues by ſuch a time at *Berwick*, where the Commiſſioners of Array for the *North*, did ſo beſtir themſelves, that the King was ſhortly after provided with ſufficient Forces, both of Horſe and Foot, ſo that His Army daily increaſed to the Number of near ſixty thouſand Men; which when the Lord *Douglas* heard, fearing if King *Edward* ſhould arrive before the Town was taken, that the Siege would then be raiſed, wherefore to prevent this, he ſo vigorouſly preſſed the Beſieged with continual Aſſaults, that they were at laſt forced to capitulate on Condition to march out with their Lives and Liberties preſerved, but to carry off no more than the Cloaths on their Backs.

[1.] Id. ib.
The King returns to *New-caſtle* for want of Proviſions.

[2.] *Buchan.* Ib.

[1.] When K. *Edward* received this Ill News, tho He was very much concern'd for the loſs of a Place which was of ſo great importance to Him, yet He could not then tell how to help it, ſo that being in great want of Proviſion for His Army, He was forced to return back from *Berwick* to *New-caſtle*, and there attend the coming up of His Fleet for above a Month, [2.] in which time it was ſo ſhatter'd and diſperſed by a Tempeſt, that but a ſmall part of it was able to arrive there, and that not till *November*, whereby the *Engliſh* Army ſuffer'd much for want of Victuals, the *Scots* having deſtroy'd and convey'd away all the Corn and Forage from thoſe Parts.

[3.] *Froiſſ.* ib.
The *Scots* not knowing the K's Neceſſity, deſire a Truce, which is granted for ſix Months.

[3.] It happened well for K. *Edward*, that the Lord *Douglas* and the other *Scotiſh* Lords knowing nothing of this Misfortune, had before retired farther into *Scotland*, where dreading a ſudden Invaſion, they knew not how to prevent it, but by ſending a Bp and an Abbot to K. *Edward* to deſire a Truce; the Meſſengers found the King at *New-caſtle* in the beginning of *December*, and there entring into a Treaty with Him and His Council, a Truce was concluded for ſix Months on theſe Conditions, *viz.*

That [4.] during this time, the *Scots* ſhould ſend into *France* to their King *David*, to let Him know, that unleſs He would return home by the *Firſt* of *May* next, with ſufficient Power to meet His Enemies in the Field, and defend His Realm, they would all ſubmit to King *Edward*'s Government, and never after own *David* for their King. Theſe Reaſonable Conditions, in ſo bad a Conjuncture, were well accepted by King *Edward*, and the *Scots* went home with a Ratification of the Truce into *Scotland*; and the King having ſettled His Affairs in thoſe Parts, return'd towards *London*, and all things remain'd in the ſame State all the reſt of this Year.

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[4.] *Froiſſ.* ib. *Buch.* ib. The Conditions of it.

This is *Froiſſart*'s Account of King *Edward*'s Expedition; which, tho' * *H. Knyghton* does not particularly mention, yet he ſays in general, That K. *Edward* went into *Scotland* the laſt Year, towards the end of *November*, and kept His *Chriſtmaſs* at the Abby of *Melros*; and that the Earl of *Derby* did the like at the Caſtle of *Roxburgh*, During which time, the Truce was made between *England* and *Scotland*. After which, removing to *Berwick*, He there kept His *Eaſter*. And thither came Twelve of the beſt *Scotiſh* Knights, to a Tourneament then held by Him; wherein Two of them were kill'd, with a Knight of the Earl of *Derby*'s: Which Lord (he ſays) behaved himſelf in this Expedition, with that Courteſie and Honour, that he gain'd the general Eſteem of all Sorts of Men.

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* *Ad hunc An.* The K. keeps His *Chriſtmaſs* at the Abby of *Melros*, and from thence removes to *Berwick*, and holds a Tourneament.

So ſoon as the King return'd into *England*, He † held a Parliament, or rather Great Council, of the Biſhops and Peers at *Weſtminſter*, about the laſt of *April*: Wherein, as * *Froiſſart* relates, all the Earls and Barons there preſent, adviſed the King, That laying aſide all other Affairs, He ſhould give a ſpeedy Aſſiſtance to the Counteſs of *Montfort*, who then ſojourn'd with the Queen. And they further adviſed Him, That ſince He had a Foreign War upon His Hands, it would be very convenient to make a Truce with *Scotland* for Two Years.

† Rot. Clauſ. 16 *Ed.* 3. m. 38. dors.

* Ibid. c. 91. The K. holds a Great *Council*, and what was done in it.

As to the firſt Part of their Advice, the [1.] King readily complyed with it; and by the end of *May*, ſent back the Counteſs of *Montfort*, attended by the Lord *Robert* of *Artois*, (Chief Commander in this Expedition) and the Earls of *Northampton* and *Devonſhire*, with the Lord *Stafford*, beſides other Barons and Perſons of Quality; with a ſufficient Army of Archers and Men at Arms, in a Fleet of about Forty Six Sail, bound for *Bretagne*. But Count *Charles* of *Blois* hearing of this Deſign, had got ready a Navy of between Thirty and Forty Sail, in which were about Four Thouſand Men, and had ſent them out to fall upon the *Engliſh* Fleet, and hinder the Landing of their Forces: They met with them near the Iſle of *Guernſey*, but the *Engliſh*, as ſoon as ever they diſcover'd them to be the Enemy, came furiouſly upon the *French* Fleet, having the Advantage of the Wind, ſo that both Fleets preſently engaging, there began a dreadful Sea-Fight, firſt with Arrows, ſhot from the *Genoueſe* Croſs-Bows, on the one Side, and the *Engliſh* Long-Bows on the other; till at laſt the Ships coming up cloſe together, fell to Boarding and Handy-ſtrokes; where (as our *Author* tells us) the Counteſs of *Montfort* her ſelf, being Armed like a Man, behaved her ſelf with her Sword, as gallantly as any Soldier in the Fleet. The Fight began about Four in the Afternoon, and continued till Night parted them, without any great Advantage on either ſide: Then they caſt Anchor not far from each other,

[1.] Id. ib.

The Lord *Robert* of *Artois* is ſent into *Bretagne* with a ſmall Army, and in his Paſſage encounters the *French* Fleet.

In which the *Counteſs* of *Montfort* behaves her ſelf very gallantly.

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The two Fleets are parted, & diſperſed by a Storm.

The Lord *Robert* lands his Forces near *Vannes*.

And takes the Town by a Scalade.

for they reſolved to fall on again the next Morning; but a Violent Storm ariſing in the Night, did ſo diſperſe both the Fleets, that they could never meet again; that belonging to the *French*, conſiſting of great Ships, was forced to beat it out at open Sea; whilſt the *Engliſh* Fleet, which were much Smaller Veſſels, by Morning recovered the Shore: Where the Lord *Robert* of *Artois* landing with his Forces near the City of *Vannes*, reſolved to begin with the Siege of that Place; which was preſently undertook, being encouraged by the Preſence of the Counteſs of *Montfort*; and, after a vigorous Aſſault made by the *Engliſh*, tho' without any effect, the Town was taken the Night following thro' Surpriſe, by a Party commanded by the E. of *Oxford* and Sir *Walter Manny*, who privately clapt Scaling-Ladders to the Walls, at a Place where there was little or no Guard kept; whereby they enter'd the Town under the Cover of two falſe Attacks, which were made at the ſame time, by the Lord *Robert* and the Earl of *Saliſbury*, at two different Places, to divert the Beſieged.

[2.] Id. c. 93.

The Lord *Robert* of *Artois* is beſieged in *Rhennes* by the *French* Army.

But the Triumph of this Victory was but of a ſhort Continuance; For the Counteſs of *Montfort*, with Sir *Walter Manny*, and divers of the *Engliſh* Nobility, as well as the greateſt Part of their Forces, preſently going away to [2.] *Hennebond*, and the Earl of *Saliſbury* marching to beſiege *Rhennes*, the Lord *Robert* of *Artois* was left in the Town with but a very indifferent Gariſon. Not long after, the Lord *Henry de Leon*, and Sir *Oliver Clyſſon*, with ſome other Noblemen of Count *Charles's* Party, who were extremely concern'd at the late Ill Succeſs, reſolved to recover the Town by the ſame Way it was taken: So drawing together about Twelve Thouſand Men, they on the ſudden encamped before the Place; to which they gave ſo vigorous an Attack, that prevailing by their Numbers over the Gariſon, they entred the Town by Force, and put all the *Engliſh* they could meet with to the Sword; the Lord *Robert* himſelf hardly eſcaping, got thro' a Poſtern to *Hennebond*, being grievouſly wounded in the Buttock; but the Air not agreeing with him there, he return'd into *England*, in hopes to meet with better Remedies: Yet tho' he came alive to *London*, he died there ſoon after of his Wounds; or, as the *French MS.* Chronicle relates, of a Flux. His Death being as much regretted by King *Edward*, as it gave Occaſion of Joy to the *French*, who looked upon him, as one that had Sacrificed the Peace of his Country to his own private Reſentments. I ſhall now ſay ſomewhat of the *Scotiſh* Affairs.

[3.] Id ib.

The *Scotiſh* Nobility ſend into *France*, deſiring their King's Return, who lays hold of the Opportunity of the Truce to do it, and lands in *Scotland*.

[4.] Buch. l. 9.

Not [3.] long after, the *Scotiſh* Nobility, according to their late Engagement to King *Edward*, ſent Sir *Robert Veſci*, and Sir *Simon Fraiſer*, with two other Knights, to King *David* into *France*, to deſire His Return: But in the mean while, before their Commiſſioners could arrive there, King *David* had thought it moſt convenient for His *Affairs*, to lay hold on this Opportunity of the late Truce, to return home. Wherefore [4.] taking His leave of the *French* King, (who furniſhed Him with Men, Shipping, and all things neceſſary for His Voyage) He left *France*, together with His Queen, (King *Edward's* Siſter) and on the *Third* of *June*, landed at the Haven of *Innerbervey* in *Scotland*, after near Nine Years *Abſence*, before His Subjects heard any thing of His coming. But as ſoon as they knew of it, they came flocking in to Him, to congratulate His Return: And being arrived at St. *John's-Town*, He was met by the Lord *Robert Stewart*, His *Vice-Roy*, and Others of the Nobility, who highly complain'd of the *Spoils* and *Devaſtations* the *Engliſh* had made, [4.] which the King aſſured them He would revenge with all the ſpeed He could. [5.] In order to this, He forthwith raiſed a great Army, of which making the Lord *Randolph* General, (the King Himſelf, for ſome private Reaſons, going with him *Incognito*, and only as a Voluntier); then having with theſe Forces depopulated *Northumberland* for near Two *Months*, as far as the River *Tyne*, He returned home with a great deal of Plunder, and without receiving any conſiderable oppoſition; ſome time after the King declaring Himſelf Commander in chief of the whole Army, marched in perſon into *England*; and tho the *Engliſh* Generals declin'd fighting (as the *Scotiſh* Hiſtorians ſuppoſe, tho falſly, that K. *Edward* was then ſtill in *France*) however they watched the Motions of the *Scots*, and with a good Body of Horſe, not only hindred them from ſpoiling the Country, but killed five *Scotiſh* Knights, who had ſtraggled too far from the Army, putting to flight thoſe that came with them. Then King *David*, that He might not ſpend His Time in vain, brought back His Forces, and muſtering them once more, made a Third Invaſion about the end of *Autumn*, when the Weather proving very bad, by reaſon of the Great Rains that fell, it ſo raiſed the Rivers and Brooks, that it hindred His Men from going out to forage; ſo that contenting Himſelf with burning a few Caſtles in the Borders, He returned home without doing any great matter. But not long after there was a Truce agreed on between the Two Nations, provided the King of *France* would allow of it; for it had been already concerted, that the *Scots* ſhould make no Peace without that King's Privity and Conſent.

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He is joyfully received by His Subjects.

[4.] Froiſſ. c. 79.

[5.] Id. ib. Hect. Boeth. L. 15.

He raiſes a great Army, and therewith invades England thrice in one Summer.

This is all that I can find related by the *Scotiſh* Hiſtorians, concerning three ſeveral Expeditions, which they relate their King to have made immediately after His Return, and of which our *Engliſh* Writers are in a manner ſilent; yet * *Froiſſart* makes a more formidable Buſineſs of it, and ſuppoſes K. *David* to have made but one Invaſion into *England* this Year, but that a very terrible one; for that King having raiſed an Army of no leſs than Sixty Thouſand Foot, and Three Thouſand Horſe, with which He invaded *Northumberland*, ſpoiled all the Country, and beſieged *New-caſtle*; but that whilſt He lay there, the Lord *Nevil*, Governor of the Caſtle, ſent out about Three hundred Lances one Morning before Day to make an Aſſault upon the *Scotiſh* Camp, which was performed with ſo good Succeſs, that ſurprizing them in their Beds, they not only ſlew a great many of them, but alſo ſeizing upon the Earl of *Murrey*, one of their Generals, they carry'd him away Priſoner into the *Tower*: This Affront ſo enraged the King, and all that were with Him, that the next day they made a vigorous Aſſault upon it, but not being able to take it, [1.] His Council perſwaded Him to quit the Siege, and march to *Durham*, as a more eaſie Prey; which City our *Author* falſly ſuppoſes that King to have taken, plundered and burnt without any difficulty, and that He ſpoiled even the Shrine and Church of St. *Cuthbert* of all its Plate, Jewels and Ornaments; and that having put all the *Inhabitants* of whatſoever Age, Sex or Condition to the Sword, without ſparing the very *Monks* and *Clergy*, He with His Army returned home laden with Spoil; which, I doubt not, but is all a Miſtake of this *Author*, proceeding from Falſe *Information*, ſince I can-

* cap. 75.

Froiſſart's Relation of King David's Invaſion very different from that of the Scotiſh Writers.

[1.] Id. c. 76.

Froiſſart's Miſtake about the Scots taking and burning of Durham.

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not find any thing like it either in the *Scotiſh*, or in any of our own *Hiſtorians*, in Manuſcript, or Print, of that Time, who would not have failed to have mentioned ſo Cruel and Sacrilegious an Action; yet perhaps this *Author* being a Foreigner, confounds this *Expedition* of King *David's* with that he made about four Years after; when again invading *England*, He haraſſed and plundered the Biſhoprick of *Durham*, tho without taking the City it ſelf: But I ſhall now give you the reſt of this Expedition, according as this *Author* relates it, tho what follows ſeems more probable.

[2] Id. c. 77. The *Scots* are ſet upon in their Return by the Gariſon of *Werk Caſtle*.

[2] The *Scotiſh* Army being thus laden with Spoils, in their Return homeward, paſſed by the Caſtle of *Werk* in *Northumberland*, which belonged to the Earl of *Salisbury*, who was at that time a Priſoner in *France*, but his Lady, the *Counteſs*, was then in it, together with Sir *William Montacute*, her Husband's Brother, who was Governor of it: This Caſtle the *Scots* would have paſſed by, when the Governor obſerving them to march in ſight of it with a vaſt Train of Horſes and Carriages laden with Plunder, he reſolved to have a ſhare of it, and ſo making a briſk Sally with about forty Horſe, fell upon the Rear of the *Scots* Army, and putting them to the rout, returned with no leſs than ſix ſcore Horſes laden with Rich Plunder, which he carried into the Caſtle. This ſo enraged the *Scots*, that in revenge they immediately began to aſſault the Caſtle, but the Beſieged being encouraged by the Counteſs of *Salisbury*, Lady of the Caſtle, made ſo vigorous a Defence, that the *Scots* being beaten off with great loſs, were forced to retreat for that time; but King *David* reſolving to take it, commanded His Battering Engines to be raiſed againſt it, which when the Governor ſaw, being ſenſible that the Place could not long hold out without a ſpeedy Relief, and not being able to perſuade any body in the Caſtle to venture through the *Scotiſh* Camp to give K. *Edward* notice of their danger, and to beg His ſpeedy Succour, therefore the Governor himſelf mounting a ſwift Horſe, ventured to do it, and paſſing by Night thro' the Enemies Camp, met K. *Edward*, then upon His March near the Place; for ſo ſoon as He had heard of King *David's* having enter'd *England*, He had raiſed a great Army, with which He now approached near that of the *Scots*; which when they heard, not thinking it ſafe for them to venture a Battel, being heavy laden with Plunder, they preſently raiſed the Siege, and early the next Morning paſſed the *Tweed* with all their Forces, taking the direct way to the *Foreſt* of *Tedworth*, there to wait K. *Edward's* Motions, and ſee whether He would go back, or invade *Scotland*.

Whereupon K. *David* lays ſiege to it.

King *Edward* having notice of it marches to its Relief, whereupon the *Scots* raiſe the Siege.

[3.] Id. c. 78. King *Edward* comes to *Werk Caſtle*, where He is met by the *Counteſs* of *Salisbury*.

The [3.] very ſame day the *Scots* marched off, K. *Edward* arrived with His Army at the Caſtle of *Werk*, where His coming was very opportune and lucky, for as He went up to the Caſtle, He was met without the Gate by the Counteſs of *Salisbury* her ſelf, who falling upon her Knees, gave the King her moſt humble Thanks for His Seaſonable Relief; His Majeſty preſently took her up, and having ſaluted her, ſhe treated Him and His Company very magnificently during one Night that He ſtay'd there: The Courtly Addreſs the King made to the Counteſs, who (tho then above thirty Years of Age) was ſtill ſufficiently beautiful, gave occaſion to *Froiſſart*, and after him, to other *Hiſtorians*, to ſuppoſe that K. *Edward* then fell in love with her, although there were no reaſonable Grounds for ſuch a Conjecture, as I ſhall ſhew further hereafter.

[4.] Id. c. 79. The K. takes His leave of the *Counteſs*, and perſues the *Scots*, who retreat into the *Foreſt* of *Tedworth*.

[4.] The King having taken His Leave of this Lady, put Himſelf at the Head of His Army, and perſued the *Scots* till He came to *Berwick*, from whence He marched forward within eight Miles of *Tedworth Foreſt*, where K. *David* was already enter'd with all His Forces, in confidence that none durſt follow Him thro' that almoſt impaſſible Deſart; for three Days together K. *Edward* lay near the Skirts of it, to ſee whether the *Scots* would come forth and give Him Battel; yet all this while there were divers Skirmiſhes between the Two Armies, and ſeveral were ſlain and taken interchangeably on both ſides, tho the greater ſhare of the Loſs fell to the *Scots*.

[5.] Id. ib. The Noblemen of both ſides endeavour a Truce, which is at laſt agreed to by the *Scotiſh* K. for a time; and the Conditions of it.

[5.] Notwithſtanding theſe ſmall Sallies and Rencounters of the *Scots* and *Engliſh*, during the ſpace of three Days, there were certain Noblemen, on both parts, that earneſtly labour'd to compoſe Matters for the preſent between the Two Kings; and their Treaty at laſt had ſuch good effect, that a Truce was agreed on for Two Years, provided the *French* King would give His Conſent to it; for K. *David* was ſo cloſely confederated with K. *Philip*, that He could admit of no Peace or Truce without His Leave, and therefore He could only for the preſent conſent that the Truce ſhould continue until the firſt Day of *May* following. It was alſo further agreed, That the Earl of *Murrey* ſhould be quitted of his Ranſom and Impriſonment, if the K. of *Scots* could ſo far prevail with the *French* K., as that the Earl of *Saliſbury*, who was already at liberty, upon Parole, ſhould now be acquitted of all Obligations. This Truce the K. of *Scots* was by His Council earneſtly adviſed to make, that *Scotland* might thereby have a breathing-while to recover it ſelf, and that the Husbandmen might return again to the Plough, which was now almoſt wholly neglected; and K. *Edward*, for His part, agreed to it the more willingly, not only becauſe the Seaſon of the Year began to call for a Reſpit, but alſo, that He had ſeveral Armies at this time to maintain at a vaſt Charge in *Gaſcoign*, *Bretagn*, and other Places, beſides His other Expences; and ſurely there muſt have been at that time very great Reaſons which induced King *Edward* to that Temper, as not to take a ſevere Revenge upon the *Scots* for the Miſchief they had lately done in *England*.

The Reaſons why this Truce was ſo willingly conſented to on both ſides.

[1.] Id. ib. The Earl of *Saliſbury* and Lord *Ufford* are exchanged for the Earl of *Murrey*.

[1.] Soon after this, K. *David* by His Ambaſſadors prevail'd upon the *French* K. to conſent to this Truce in the Form as it was agreed on; and alſo to releaſe the Earl of *Saliſbury* and the Young Lord *Ufford*, Son to the Earl of *Suffolk*, in exchange for the Earl of *Murrey*, who had been long kept Priſoner; but they being two for one, the K of *France* had 3000 Pounds of them in Money to Boot.

This is the Account that *Froiſſart* gives us concerning K. *Edward*'s Expedition this Summer, which I cannot find mentioned by any other *Hiſtorian*, either *Scotiſh* or *Engliſh*, any more than the reſt of the *Actions* already related; ſo that I muſt ſtill doubt whether our *Author* hath not here plaid the part of a *Romancer*, in ſuppoſing K. *Edward* to have made this *Expedition*, that he might have a freſh Occaſion of mentioning the Courtſhip, which he all along (without any Juſt Grounds) ſuppoſes this *King* to have made to the *Counteſs* of *Saliſbury*; and therefore I ſhall leave it to the Reader's Judgment what Credit to give to all this Relation: but we may give more to this *Author*'s Teſtimony concerning

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ing the *Affairs* of *Bretagn*, that were carry'd on by K. *Edward* in Perſon this Year.

[2.] *Froiſſ.* ib

The K. raiſes an Army to paſs over into *Bretagne.*

* Rot. Clauſ. 16 *Ed* 3. m 28. dorſ.

The K. goes on board with His Army, and lands not far from *Vannes*, which he aſſaults, but without any effect.

* Ib. part 2. m. 23. dorſ.

[3.] *Froiſſ.* ib.

Whereupon He marches to *Nants*, which He beſieges without ſucceſs.

He removes to *Dinant*, which He takes by Storm.

For ſo ſoon as He received the News of the Bad Succeſs of His Forces in *Bretagne*, and not long after ſaw the Death of His Friend the Lord *Robert* of [2.] *Artois*; at which being highly grieved, He vowed to revenge it, and to this end raiſed a powerful Army, and appointed it by Proclamation to be ready to paſs with Him into *Bretagne* by *Midſummer* following; and * then wrote to *Pope Clement* the *Sixth* to put up *Prayers* to the *Almighty* for His *Happy Progreſs*, and that He Himſelf would alſo cauſe *Proceſſions* and other Pious Offices to be exercis'd in *England* for a *Bleſſing* upon His Forces, which at that time He intended to ſend over againſt *France*; all which being performed accordingly, the K. with His Forces went on Shipboard the 4*th* of *Octob.* at *Sandwich*, and landed at a Port not far from *Vannes*, near the very Place where the Lord *Robert* of *Artois* had come on Shore after his Fight at Sea; [3.] the King, after His Army were all landed, and a little reſreſhed, inveſted the Town, and gave it a vigorous Attack, but without any great ſucceſs, for the Lord *Henry de Leon*, and Sir *Oliver Cliſſon*, with other Noblemen were in it, and it was now too well fortify'd (beſides the numerouſneſs of the Gariſon) to be eaſily taken; the King perceiving the Strength of the Place, and that His whole Army was not able to continue there for want of Forage, divided His Forces, and having left a ſufficient number to block up the Town, marched to *Nants*, where He heard Count *Charles* of *Blois* then was; reſolving, if he would not come out to give Him Battel, to beſiege Him in that place: but when the King had made divers Aſſaults upon the City, without any effect, and found He could not make Count *Charles* come out to fight Him, being weary of ſtaying longer there, He left a Body of Six hundred Men at Arms, and Two thouſand Archers to block it up, whilſt He with the reſt of His Forces marched away to *Dinant*, which not being ſo ſtrong as any of the other Places already mention'd, was after ſome reſiſtance taken by Storm, and all the Gariſon put to the Sword, (except the Governour) who had his Life ſaved for his extraordinary Valour.

[4] Id c. 95.

The *French* making a Sally out of *Vannes*, are repulſed with loſs.

In [4.] the mean while the Siege of *Vannes* was carry'd on with better ſucceſs than could be expected, conſidering the ſmalneſs of the Forces that lay before it; for K. *Edward* with the beſt part of the *Engliſh* Army being now gone, the Beſieged grew ſo bold, that ſetting open their Gates, they made a briſk Sally upon the *Engliſh*, under the command of the Lord *de Leon*, and Sir *Oliver Cliſſon*; but were ſo warmly received by the Earl of *Warwick*, and Sir *Water Manny* and other Noblemen (who were then leading up their Forces to make an Attack upon the Town) that the *French* were driven back with conſiderable loſs, even to the Barriers of the Town; ſo that fearing the Enemy ſhould enter along with them, they preſently cloſed the Turn-Pikes upon thoſe that followed; but it happened very unluckily, for the Lord *de Leon* and Sir *Oliver Cliſſon*, who valiantly made good the Retreat, being with about forty Gentlemen more ſhut out, they were made Priſoners, upon which the Beſieged growing more wary, durſt make no more Sallies, yet the Place ſtill held out.

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Whilſt [5.] K. *Edward's* Forces were thus employ'd in carrying on three Sieges at once, there happened ſomewhat which put a ſtop to His further Succeſs; for when Count *Charles* of *Blois* perceived he ſhould be overpower'd by the great Forces that the K. had now brought over with Him, he ſolicited the K. of *France* by frequent Letters and Meſſages to ſend him a powerful Aſſiſtance with all the ſpeed he could; He thereupon ordered His Son, the Duke of *Normandy*, to raiſe a great Army for that purpoſe, who as ſoon as He could get His Forces in a readineſs, forthwith marched from the City of *Angiers* towards that of *Nants*; but upon his approach the *Engliſh* Commanders (by K. *Edward's* Order) raiſed the Siege before that Place, and marched with thoſe Forces to *Vannes*, to which Siege the K. was then returned in perſon, and had ſo ſecurely intrenched Himſelf, that the *French* Army (tho far more numerous than His) could not force Him to a Battel but as He Himſelf pleaſed: for the Duke of *Normandy*, with Count *Charles*, and all the joint Forces having relieved *Nants*, were come before *Vannes*, and encamped in a large Meadow between the Rivers of *Claye* and *Vilaine*, and had made a great and deep *Trench* round about their Army.

[5] Id. c. 98. The *Count* of *Blois* ſolicits K. *Philip* for aſſiſtance, which is ſent under the command of the Duke of *Normandy*, who raiſes the Siege of *Nantz*, and then comes before *Vannes*.

[6.] Upon the News of their approach, K. *Edward* ordered that part of the Army commanded by the Earls of *Salisbury* and *Pembroke* to quit the Siege of *Rhennes*, and to come and reinforce Him, for He expected to have a Battel with the *French* at that time, and His Forces, both *Engliſh* and *Bretons* made up but about Two thouſand and five hundred Men of Arms, and Six thouſand Archers, and about Six thouſand others on foot, beſides thoſe who were left to keep the Navy, and others in Gariſon, and with the Counteſs in *Hennebond*; but theſe were all choſen Men under good Leaders, and were very ſtrongly entrenched in their Camp, which was not to be eaſily forced, (as I have already obſerved): Thus theſe two Armies lay facing one another for ſeveral days, without any Action, further than ſome light Skirmiſhes; for the *French* could not force the *Engliſh* to Battel, nor durſt they attempt them in their Camp; and K. *Edward* thought it not Wiſdom to leave His Intrenchments, and attack the Enemy at ſuch great diſadvantage as He knew the Aggreſſor muſt needs undergo; eſpecially ſince He muſt then leave the City on His Back to ſecond the Enemy: Nor did He give any more Aſſaults to the Place, becauſe of keeping His Men freſh and entire againſt the time of Battel, if it ſhould be offer'd, and which He then reſolved to accept.

[.6] Id. ib. The K commands the Siege of *Rhennes* to be raiſed, and the Forces to come to Him, who ſtrongly entrenches Himſelf in His Camp, and lies ſtill, expecting what the *French* would do.

I will now, for the better underſtanding of what follows, here inſert ſomewhat of *Eccleſiaſtical Hiſtory*: **Pope Benedict* XII. a *Prelate* more affectionate to the exaltation of the *Roman* See, than that of His own particular Family, deceaſed in *April* this Year, leaving a great Treaſure to His Church, but little or nothing to His own Relations: He was ſucceeded by *Peter Roger*, ABp of *Roan*, by the Name of *Clement* VI. who took a quite contrary Courſe, and as He made no ſcruple to divert the Riches of that Church to His own Pride and Grandeur, ſo He alſo again introduced the *Nepotiſm*, to the great Prejudice and Scandal of it.

* *T. W. Ad An.* 1340, *ſed falſo.* Mezeray, *ad hunc Ann.*

But to return to the Affairs of War: Whilſt [1.] the Two Princes lay thus in their reſpective Quarters, conſidering what to do, Winter was pretty well advanced, and yet both Armies lay ſtill encamped juſt as

[1.] Id. ib.

they

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* Rot. Parl. 17 *Ed.* 3. n.8.

[2.] *Froiſſ.* ib. The Deſigns of the *French* againſt the *Engliſh Army*, yet both of them ſuffer much hardſhips.

they did before; In the mean while the New * Pope *Clement* ſent Two Cardinals, *Peter* of *Præneſte*, and *Annibald* of *Tuſculum* to mediate Peace between the Two Crowns, and they rode every day between both Parties to endeavour to bring it about; at firſt they met with great Difficulties, for the [2.] *French* thought to keep the K. there, as it were beſieged, till He ſhould even be forced to come forth, and give them Battel, to His great Diſadvantage; and the K. had beſides ſome Apprehenſions that the Enemy would adventure to break into His Camp, and force Him to fight; or at leaſt, ſo weary Him out, that He ſhould be able to lie there no longer: And indeed both *Armies* endured great Hardſhips; for as the *French* ſuffered much by the Wet and Cold Weather, ſo on the other ſide, tho the *Engliſh* had made themſelves good *Huts* againſt both thoſe Inconveniences, yet they were in great Streights for Proviſions, not daring to go out into the *Country* to forage, but in great and ſtrong Parties, for fear of the *French*, who commanded the Country; and Prince *Lewis* of *Spain*, who had then a Fleet at Sea, ſo narrowly watched the Coaſt, that little Proviſion could be brought to them that way. And tho' one part of the K's Navy lay at *Breſt*, and the other at *Hennebond*, however they did not go out to Sea at all this Winter, but for what Reaſons I am not able to determine; yet had his Fleet then commanded the Sea, (as it might have done) His Army had never been reduced to thoſe Streights as it was for want of Proviſions.

[3.] *Odoric. Rayn. ad hunc Ann.* A *Truce* is at laſt propoſed between the two Princes by the *Cardinal Legates*, which is at firſt proteſted againſt by King *Edward*.

[3.] Theſe Difficulties at laſt ſerved to prepare the Minds of both Princes to hearken to a Truce, and render'd them more inclinable to accept of the Cardinal's Offers: At firſt they both conſented to a ſhort Truce for *Bretagne* only; but when the Cardinals urged, that they ſhould appoint a time for a further Treaty, concerning a final Accommodation between them before the *Pope*, here K. *Edward* proteſted, that He would never allow the *Pope* ſuch an Abſolute Power as to determine His Quarrel, unleſs a Peace might be had both honourable to Himſelf, and profitable for His Allies: and then He would conſent to have the Treaty about it brought before *His Holineſs*, and then too He would ſubmit to *Him* only as an indifferent *Arbitrator*, and not as a *Judge*; and if they would not yield to this, He would perſue His Quarrel to the utmoſt. So careful was this K. (like as K. *Edward* His *Grandfather* had been before) leſt the *Pope* ſhould improve this *Precedent* into a *Right*, of making Himſelf a *Judge* of all *Differences* and *Quarrels* that might ariſe between theſe Princes.

The *Legates* at laſt obtain a *Truce* between *England* and *France* for three Years, which is ſworn to by K. *Edward* and by the Duke of *Normandy*.

However at laſt theſe *Cardinals* laboured ſo effectually, that they obtain'd a *Truce* between *England* and *France*, and their Allies, to hold for Three Years; during which time, the whole *Controverſie* then depending, was to be weighed, and impartially conſidered, and ſome equal Method of *Peace* to be deviſed by the *Pope* (not as a *Judge*) but only as a *Friend* to the *Common Peace* of *Chriſtendom*; Some of the Chief *Articles* of this *Truce* being agreed on, were ſworn to by K. *Edward* in His Own Name, and by the Duke of *Normandy*, on the behalf of the K. His *Father*: But ſince there was then a neceſſity for both Armies immediately to decamp, a Time was appointed in the beginning of *January* following to treat more fully thereof, at *Maleſtroit* in *Bretagne*, where the *Plenipotentiaries* to be appointed by both Kings were to have a Meeting; and ſo there being a mutual Exchange made of ſome of the

Priſoners taken during this War, as particularly the Lord *Oliver Cliſſon* was exchanged for the Lord *Stafford*; then the *Armies* broke up, and both *Princes* civilly took leave of each other.

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[4.] Preſently after this *Agreement*, about *Chriſtmaſs* following, K. *Edward* went on Shipboard with His Forces, having the Counteſs of *Montford* in His Company; but in His Paſſage met with ſo violent a Storm, as drove His Fleet upon the Coaſt of *Spain*, whereby ſeveral of His Ships, with divers Perſons of Quality periſhed. The *Counteſs* with much ado landed in *Devonſhire*, but the *King* being kept at Sea above five Weeks by contrary Winds, landed on the firſt of *March* at *Weymouth*, and ſoon after came to *London*, where He was received with great Joy by His *Queen*, and all the *Nobility*, who had been in mighty concern what was become of Him. * Then ſoon after He ſet forth a *Proclamation* to give *Publick Notice* of the *Truce* lately made in *Bretagn*.

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[4.] *H. K.* col. 2583. *Froiſſ.* c. 100.

The K goes on Shipboard, and in His Paſſage endures a violent Storm, and is kept at Sea above five Weeks.

* Rot. Clauſ. 16 *Ed.* 3. p. 1. m. 31.

In [5.] the mean while certain *Commiſſioners* appointed by both Kings met at the *Priory* of St. *Mary Magdalen's* in *Maleſtroit*, a Town in *Bretagne*, where, by the Mediation of the *Cardinals* aforeſaid, the *Articles* of the *Truce* were reduced into theſe enſuing *Heads*; which I ſhall not give you as they are found in *Walſingham*, and ſome other *Writers*, for they are tedious and immethodical; but according as they are abridged by the Diligent *Du Cheſne*, who hath drawn up the whole and entire Senſe of them in this ſhort Form.

[5.] T. W.

The *Truce* is fully concluded after the K's departure, with the *Articles* of it.

1. That out of Reverence to *Holy Church*, the Support of *Chriſtianity*, and Eaſe of the Subjects of both *Kings*, and for the *Honour* of the *Cardinals* then mediating *Peace* and *Concord* between Them, the Two *Kings* would ſend ſome of their Own *Blood*, with Others to the *Court* of *Rome*, to end all *Differences* and *Debates* before the *Pope*, having Power by His Conſent, with the Conſiſtory of *Cardinals*, to alledge and propound their Reaſons on both ſides; not that He ſhould end and decide it, or give *Sentence*, but only for the making a better *Peace* and *Treaty* by way of Compromiſe.

2. The *Treators* and *Ambaſſadors* to appear before the *Pope* by the Feaſt of St. *John Baptiſt* (or *Midſummer-day*) next coming, and that before *Chriſtmaſs* the *Treaty* ſhould be ended, if nothing happened that requir'd the further delay to it: But in caſe the *Treators* be not hindered by other Buſineſs, or that the *Pope* cannot by that time compoſe the Differences between the Two *Kings*, yet nevertheleſs the *Truce* ſhall continue for Three Years after the Feaſt of St. *Michael* next following, between the *Kings* of *England* and *France*, the K of *Scots*, the Earl of *Haynault*, and all the *Allies* of the ſaid *Kings*; that is to ſay, the Dukes of *Brabant* and *Guelderland*, the Marqueſs of *Juliers*, Monſieur *John de Haynault*, and the People of *Flanders* in all their Lands and Seigniories.

3. That the K. of *Scots*, and Earl of *Haynault*, and other *Allies* of the ſaid *Kings* ſhould ſend their *Ambaſſadors* to the *Court* of *Rome*, by the Feaſt of St. *John*, with ſufficient Power to conſent to, and confirm the *Treaty* before the *Pope*, for what belongs to Them; but if they would not ſend, the *Treaty* was to proceed notwithſtanding.

4. That

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4. That the *Truce* ſhould be obſerved in *Bretagne* between the Two *Kings* and their *Allies*, notwithſtanding they both pretend Right to the ſaid *Dutchy*.

5. The City of *Vannes* ſhould remain in the Hands of the *Cardinals*, or of one of them, to be holden during the *Truce* in the Name of the *Pope*, and after the end of the *Truce*, they to diſpoſe of it as they pleaſed.

6. That the *Cardinals* ſhould labour diligently to find ſome way how the *Flemings* might be abſolved from the *Pope's Cenſures* which they had incurred.

7. That the Earl of *Flanders* ſhould remain in his Earldom as Lord, though not as a Sovereign, provided the People give their Conſent to it.

8. That both *Kings* ſhould endeavour without Fraud that their Subjects ſhould not make War upon each other in *Gaſcoigne*, nor in *Bretagne*, during the *Truce*, nor in any other Place; and in caſe they ſhould, it ſhould cauſe no Rupture between the Princes.

9. That none who were under the *Obedience* of one *King*, before, or at the Time when the *Truce* was made, ſhould put himſelf under the *Obedience* of the other during the *Truce*.

10. That nothing ſhould be given or promiſed, directly, or indirectly, to any Party to make War during the *Truce*.

11. That the *Truce* be kept and obſerved by Land and Sea, and ſworn to by other *Parties*, and ſpeedily publiſhed through both *Armies*, and within fifteen Days in *Gaſcoigne*, *Bretagne*, and *Flanders*; and in *England* and *Scotland* within Forty.

The Reſidue of the *Articles* are the ſame with thoſe of the *Truce* made at the Siege of *Tournay* the 25*th* of *September*, 1343; which being already expreſs'd, need not be again repeated.

This *Truce* was made in the *Priory* of St. *Mary Magdalen*, in the Town of *Maleſtroit*, and ſigned the 19*th* of *January*, A. D. 1343, according to *Aveſbury*; as it ſhould be alſo by *Walſingham*, were he true to his own Reckoning, in beginning the Year at *Chriſtmaſs*; but the *Treaty* it ſelf is alſo miſplaced in his Chronicle, and under *Anno Dom.* 1341.

The manner of the *French* and *Engliſh* Commiſſioners taking an Oath on their Maſters behalf, that they ſhould obſerve the *Article* of the *Truce*.

And to theſe *Agreements* the Lord *Otho*, Duke of *Burgundy*, the Lord *Peter*, Duke of *Bourbon*, with the Earls of *Boulogne*, *Auxerre*, *Sancerre*, *Joigny* and *Porcien*; the Lords *Milo de Nogheres*, and *Ingelram de Coucy* were Witneſſes, who as *Commiſſioners* for *Philip* K. of *France*, took an *Oath*, *Upon His Soul* (as the Form then was) that He ſhould obſerve it: And in like manner the Earls of *Darby*, *Northampton* and *Salisbury*, with the Lords *Stafford*, *Burghwaſh*, *Cantilupe*, *Cobham*, *Manny*, *Berkley*, and Dr. *John Ufford*, Arch-Deacon of *Ely*, did ſwear *On the Soul* of *Edward* K. of *England*, their Maſter, by laying their *Hands* upon the *Holy Goſpels*.

Theſe *Articles* of the *Truce* being ſolemnly confirm'd in the Manner abovementioned, the *Cardinals* cauſed a *Charter* thereof to be drawn into the Form ſet down at large in our *Authors*, and to which all the ſaid Perſons ſet their *Hands* and *Seals* on the Day and Year above-written, in the preſence of the *Cardinals* themſelves, and many other Great Lords and Gentlemen of both Nations.

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I ſhall conclude this Year with the Affairs of *England*, which, ſince we were taken up with the War in *Bretagne*, could not well be mentioned ſooner.

* Rot Parl. 17 *Ed.* 3. n. 7, 8, 9.

A Parl. held at *Weſtminſter*, and to what Intents.

About three Months after the Concluſion of this Treaty, a * Parliament was held at *Weſtminſter*, *Fifteen* days after *Eaſter*, or the *Three* and *Twentieth* of *April*: As for the Cauſes of Summoning it, we need go no further than the Writ it ſelf; *viz. That it was to treat and adviſe with the Great Men and Commons, what was beſt to be done about the King's Affairs*, as alſo concerning the Truce lately made between Him and His Adverſary of *France*: And laſtly, about the good Government and Safety of His Realm and People.

Sir *Barth. Burgherſh* gives the Parliament a Relation of the Succeſs of the King's Affairs beyond Sea, and of the late Truce.

The Parliament being Aſſembled, the Chancellor ſent for Sir *Bartholomew Burgherſh* to come into the Houſe; and becauſe he had been with the King at the making of the late Truce, and knew beſt what had paſſed there, he was appointed to declare to the Parliament, upon what Occaſion it was concluded. Whereupon he gave them a brief Account, ‘That after the King had begun the War with *France*, by Aſſent of the *Prelates*, *Great Men*, and *Commons*, to obtain His Rights and Inheritance there; He had divers times paſſed the Sea with His Army, and after His laſt going over, had taken ſeveral Towns, Caſtles, and Forts in *Bretagne*; but that whilſt He lay at the Siege of *Vannes*, He was deſired by the Pope, for the Honour of God and Holy Church, to accept of the Mediation of two Cardinals whom He ſhould ſend to Him, to mediate a Truce, until a Peace could be treated of: And then concluded, That the King, perceiving the Truce to be Honourable, and Advantageous for Him and His Allies, aſſented to it: That, during the Continuance thereof, a Treaty of Peace might be had, before the Pope, as a Mediator and Friend, but not as a Judge. Which Peace, if Good and Honourable, the King would accept of; if not, He would perſue His Quarrel. And Sir *Bartholomew* further ſaid, That becauſe the War was begun by the Common Advice of the *Prelates*, *Great Men*, and *Commons*, the King would not Treat of, or make Peace without the like Aſſent. Wherefore the Prelates and Great Men were charged to Aſſemble on *Thurſday* the *Firſt* of *May*, to treat, adviſe, and agree among themſelves, Whether the King ought to ſend any Envoys to the Court of *Rome*, to propound His Right before the Pope, or not? And in the ſame manner, the Knights of Counties, and *Commons*, were charged to Aſſemble in the Painted Chamber, to treat, and adviſe in like manner, and to report their Anſwer and Agreement, in full Parliament, at the ſame time.

The Eſtates of Parliament are charged to give the King their beſt Advice in this Juncture.

* Ibid.

The Prelates and Great Men approve the Truce, and adviſe the ſending Envoys to *Rome*, to lay the King's Demands before the Pope.

On * which day, the Prelates and Great Men anſwered, their Advice was, That the Truce was Honourable, and Advantageous to the King and all His Friends; and that every Chriſtian ought to wiſh, that the War, which was ſo great and hurtful to all Chriſtians, might ſoon end in a Peace: Wherefore they agreed to the Truce; and that the King ſhould ſend Meſſengers to *Rome*, to lay before the Pope, as a Mediator and Friend, (but not as a Judge) His Rights and Demands, in order to a Treaty of Peace, according to the Form of the Truce. And then the Knights of Counties came in, and the Commons, and anſwered by Sir *William Truſſel*, in the *White Chamber*, (*i. e.* the preſent Court of Requeſts) who in the preſence of the King, Prelates, and Great Men, propoſed on behalf of the Knights

Which is alſo agreed to by the Commons.

‘and Commons, That they were fully agreed, the Truce ſhould be ‘kept, to the end a Good and Honourable Peace might be made: ‘And further, the ſaid Commons prayed the King, to ſend expreſs ‘Envoys, or Meſſengers, to treat of Peace, as aboveſaid; and in caſe ‘He could have an Honourable and Advantageous Peace for Himſelf ‘and His Friends, that He would accept of it; but if not, the ſaid Com‘mons declared, that they would aid and aſſiſt Him, and maintain His ‘Quarrel with all their Power. With which Hearty and Loyal Anſwer, the King could not but be very well ſatisfied.

* Rot. Pat. 17 *Ed.* 3. m. 24. n 27. *Edward* the K's Eldeſt Son is created P. of *Wales* in this *Parl.* in which alſo the Statute of *Proviſors* was made.

† *Vid.* the Account of Laws at the end of this Reign.

I have no more to add concerning this Parliament, only that in the Beginning of it, * the King created His Eldeſt Son *Edward*, now in the *Thirteenth* Year of His Age, Prince of *Wales*; inveſting him by a Coronet and Ring of Gold. In this Parliament alſo, upon great Complaints made by the Peers and Commons againſt the Pope's Encroachment of beſtowing Eccleſiaſtical Benefices in *England*, by way of *Proviſion*, upon Strangers; and alſo by Impoſitions of *Tenths* and *Firſt Fruits*: For Remedy of the ſaid *Abuſes*, that Notable Statute of *Proviſors* was then enacted; which you may find at large in the Printed Statute-Books; and † I have given you an *Abridgment* of it in another Place. But as for the Letters which were then written in the Name of the whole Parliament to the Pope, concerning this *Affair*, as alſo His *Anſwer* to King *Edward* about it, with His *Reply* to the ſame; ſince they are things of an Eccleſiaſtical Nature, I ſhall refer the Reader to the End of the Reign, where ſuch Church-*Affairs* as could not ſo well be inſerted into the Body of this Hiſtory, are particularly related by themſelves.

[1.] *Odor. Rayn. ad hunc Ann.* The K. writes to the *Pope*, deſiring the time for ſending His Commiſſioners to *Rome* might be prolong'd.

Preſently after this *Parliament*, King *Edward*, upon more mature Deliberation, wrote a [1.] Letter to the Pope, That, whereas by the *Articles* of the late Truce, He had agreed to ſend Commiſſioners to His Holineſs before *Midſummer* enſuing; He deſired the Term might be prolonged until the *Eighth* of *September*; and that in the mean while His Holineſs would be pleaſed to write to the King of *France*, that the Earl of *Montfort* (who had been taken Priſoner in the late War) might be ſet at Liberty; as alſo, that *David* King of *Scotland* ſhould be admoniſhed to obſerve the Truce more ſtrictly than He had done.

* Rot. Franc. 17 *Ed.* 3. m. 12. The K. iſſues out a Commiſſion to certain Nobles and Civilians to treat with the *French* Commiſſioners before the *Pope*; which is followed by a Second Commiſſion, but to no effect.

About the Beginning of this Summer, King *Edward* iſſued out a * Commiſſion, bearing date the *Twentieth* day of *May*, to *Hugh le Diſpenſer* Lord of *Glamorgan*, *Ralph* Lord *Stafford*, *William de Norwich* Dean of *Lincoln*, Sir *William Truſſel*, and *Andrew Vfford* a Civilian: Theſe had thereby *Authority* to treat in the preſence of the Pope (not as a Judge, but as a Friend and Private Perſon) and with the Commiſſioners that ſhould be appointed by *Philip* of *Valois*, concerning the King's Right to the Crown of *France*, and all other Dominions, Lands, &c. in the ſaid Kingdom, and about which any Controverſie or Difference might ariſe. Neither was this alone thought ſufficient; for about three Months after, a Second Commiſſion, bearing date the *Nineteenth* of *Auguſt*, was granted to *Henry* Earl of *Derby*, *Thomas* Earl of *Warwick*, *Robert* Earl of *Suffolk*, and to the Lords, *Hugh le Diſpenſer*, *de Nevil*, *de Burgherſh*, *le Grey de Ruthyn*, *de Cobham*, and *de Brodiſtan*; and to theſe Doctors of Law, *William de Norwich* Dean of *Lincoln*, *John de Vfford* Archdeacon of *Ely*, *Robert Herward* Arch-

Deacon of *Taunton*, and *Andrew de Ufford*: But yet that all theſe New Commiſſioners ever went over, I do not find, but rather the contrary; and as for theſe firſt mentioned, [2.] they in *September* following met thoſe that were ſent thither by the K. of *France*.

And it may not be amiſs to give you ſome Account of this *Treaty* and *Negotiation*, what were the [3.] *Arguments* that were urged by the *Commiſſioners* of either *Party*: Firſt, Thoſe for the K. of *England* ſet forth their Maſter's *Right* to the *Crown* much after the ſame manner as had been done before, That He was the next *Heir-Male* to the late Deceaſed K. *Charles*; and further ſupported it with theſe following Reaſons, That if the *Salick* Law were ſtill objected, That not only *Females*, but thoſe deſcended from them, were thereby excluded from the Succeſſion; that Law can no ways affect the *Kingdom* of *France*, by theſe Words, *In terram Salicam Mulieres nè Succedant*: For that the *Salick* Land lies in *Germany* between the Rivers *Elbe* and *Sala*, the Country of the Antient *Francs*; and that which the *French* now call a Law, was but a wicked and unjuſt Uſurpation, a Cuſtom firſt of all introduced by *Clotaire* the *Firſt*, to the excluſion of His Nieces *Chrotberge* and *Chroteſinda*, Daughters of His Elder Brother *Childebert* the *Firſt*; and that this Law had not been ſince that Time obſerved in *France*, they proved by ſeveral Inſtances: As that K. *Pepin*, Father to *Charles* the *Great*, having depoſed K. *Childeric* the *Third*, (the laſt of the *Merovean* Race) claimed the *Crown* of *France* before Pope *Zachary*, as *Heir General* of that Family, being deſcended of *Blithildis*, Daughter of K. *Clotaire* the *Firſt*; Father of that *Hugh Capet*, who upon the Death of K. *Lewis* the V. uſurped the Crown (when claim'd by *Charles* Duke of *Lorain*, the *Heir-Male* of the Line of *Charles* the *Great*), and to make his *Title* good, pretended to come of the Lady *Lindigardis*, *Daughter* of *King Charles* the *Second*, ſirnamed *the Bald*, Grandſon to *Charles the Great*; and that K. *Lewis the Ninth*, who is now Sainted, could never be ſatisfied in *His* Conſcience that *He* had any *Right* to the Crown of *France*, until it was made out to *Him*, that Queen *Iſabelle*, or *Elizabeth*, *His Grandmother*, *Daughter* to *Baldwin* Earl of *Haynault*, was lineally deſcended from the Lady *Ermingardis*, *Daughter* and *Heir* to the aforeſaid *Charles*, Duke of *Lorain*; ſo that in the *Judgment* of this *Holy King*, the *Salick* Law was then in no force; and that *Scripture* might not be wanting, eſpecially before a Pope, they urged that *Text*, which had been already made uſe of on this Occaſion, *viz.* * *If a Man die, and have no Son, he ſhould cauſe his Inheritance to paſs to his Daughters.*

The *Anſwer* of the *Engliſh* Commiſſioners to that great Objection from the *Salick*-Law againſt the Succeſſion of Women to the *French Crown*.

And when the *French* Commiſſioners alſo urged, That K. *Edward* by doing *Homage* to the *King* their *Maſter*, as Lawful *King* of *France*, had already acknowledged *His Right*; to this it was anſwered, (beſides what hath been already mentioned in the K's *Letters* to the Pope, of *His* being then under *Age*, and doing it for fear of loſing the Dutchy of *Guienne*,) that it was a Rule in the *Civil Law*, *Ei qui alio Jure venit, quam eo quod amiſit, non nocet id, quod perdidit, Sed prodeſt id, quod habet*, &c. And beſides *He* had done *Homage* on Condition that *He* might have the ſaid Dutchy entirely reſtored to *Him* according to the *Articles*; which *King Philip* having never perform'd, the *Homage* was void.

Their *Anſwer* to the Objection of the *French* Commiſſioners, concerning K. *Edward*'s doing *Homage* to K. *Philip*.

[2.] Chron. *Franc. MS.*

[3.] Bp *Stilling-fleet's MS.* n. 8.

* *Numb.* c. 27. v. 8.

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Their *Anſwer* to the *Objection*, That no Women could transfer a Right to that *Crown* to any other.

Then the Commiſſioners for the K. of *France* further urged on the behalf of their Maſter, theſe expreſs Words of the *Salick* Law, which they aſcribed to K. *Pharamond*, and would have to belong to the whole *Kingdom* of *France*; *Since no Woman had ever been admitted to the Throne, much leſs can ſhe transfer her Right to another*; for, *Nemo dat quod non habet*; alſo that *He* was a Stranger, and ſo not to be admitted to the Government of that Realm, which long before refuſed *Charles* Duke of *Lorain*, upon that very *Account*, tho *He* was unqueſtionably the next *Heir*: To both theſe the *Engliſh Ambaſſadors* anſwered, by wholly denying the *Legality* of thoſe *Actions*.

They laſtly urged the *Judgment* of the Twelve *Peers* of *France*, who had adjudged the *Crown* to be K. *Philip*'s, in whoſe Poſſeſſion it now continued after a long and peaceable enjoyment, even with *King Edward*'s own *Acknowledgment* of it, as ſufficient Proof of *His* ſaid *Right*.

Theſe *Arguments* being banded to and fro by the Civilians of both *Parties*, appeared ſo intricate to the Pope, that *He* would come to no poſitive Reſolution in this *Matter*, but only offer'd certain *Equivalents* to the *Engliſh* Commiſſioners for all their Maſter's Pretences and Demands in *France*, which they would by no means accept of; ſo that all which could be then agreed on, was, That the Triennial Truce already made ſhould continue without any violation to the end of the Term.

Cleopatra E. 2. f. 34.

Another Treaty held before the *Pope* by other Commiſſioners, but without any effect.

But it appears by a MS in the * *Cottonian Library*, that after this there was another long *Treaty* managed at the ſame Place before the Pope and certain Cardinals, every day, from the 22*d* of *October* to the 29th of *November* following, partly by ſome of the former Commiſſioners, and partly by ſome new ones, (*viz.*) *William Bateman* Bp of *Norwich*, *John Ufford* Dean of *Lincoln*, the Arch-Deacon of *Norwich*, Sir *Hugh Nevil*, and *Nicholas de Fliſco*: But when the Pope would have had them firſt to treat about what had been done againſt the Truce, and by whoſe means it had been broken, they would not enter upon any ſuch *Matter*, till they were ſatisfy'd in their Maſter's Demands concerning the Crown of *France*; and ſo this *Affair* continu'd undetermin'd to the latter end of the next Year, when Open War broke out again between the Two Crowns; though the *Truce* was looked upon by K. *Edward* to have been already violated by the *French King* a few *Months* before, as will appear by the following *Action*.

K. *Edward* looks upon the Truce to be already violated, and why.

[4] *Froiſſ.* c. 100. *Mezeray. Ad hunc Ann.*

Oliver Cliſſon, with other Noblemen of *Bretagne* are ſeiſed and put to death without any Tryal.

[5.] *Chron. Francoiſ. Civit. London. Ad hunc an.*

[4] *Oliver de Cliſſon*, a Nobleman of *Bretagne*, (who had lately ſo valiantly defended *Vannes* againſt the *Engliſh*, and been himſelf taken Priſoner) with Ten or Twelve other Lords of the ſame *Countrey* and *Party*, having accompany'd *Count Charles* of *Blois* to a great *Tourneament*, that was then to be held by King *Philip* at *Paris*, they were all on the ſudden, almoſt as ſoon as ever they were arrived, arreſted, which [5.] was towards the latter end of *Auguſt*; and within a few Days after, without Tryal, or making any Defence for themſelves, they were drawn through the City, and executed as Traytors, and their *Heads* ſent into *Bretagne*, to be ſet over the *Gates* of *Nantes*, and other *Cities*.

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As for the Crime for which they ſuffer'd, *Froiſſart* ſays it was on ſuſpicion of their holding Intelligence with the *Engliſh*; but *Du Cheſne* and other *French Hiſtorians* carry it higher, and ſay, That all of them, eſpecially *De Cliſſon*, held a private Correſpondence, and had made a ſecret League with K. *Edward*, under their Seals, contrary to the *Ninth Article* of the *Truce*; which was, *That None in the Obedience of one King, at the Time of the ſaid Truce, ſhould put himſelf under the Allegiance of the other, whilſt it continued.* But what proof there was of this I do not find, only K *Edward* in His next *Letter* to the *Pope*, as alſo in His *Declaration* ſubſequent thereunto, calls thoſe Noblemen that had been put to death in *Bretagne*, His *Adherents.* But *Mezeray* freely acknowledges, that this ſudden *Execution* of theſe Noblemen without any Legal Tryal, or Cognizance of the Cauſe, was a great aſtoniſhment to all the World, and was received with great *Indignation* by the Nobility, whoſe Blood did not uſe to be ſhed, unleſs it were in defence of their *Countrey*; and that the King was too ſevere in taking ſo cruel a Revenge on meer Suſpicions, which ſo alienated the Affections of the *Great Men*, not only of *Bretagne*, but *France* it ſelf, that they afterwards ſerved Him very ill when He had moſt occaſion for them.

Which highly incenſes the Nobility of *France* and *Bretagne.*

[1.] When *King Edward* had received the ſad News of the *Execution* of the Lord *Cliſſon*, and the other Noblemen abovementioned, He was ſo very much concern'd at it, that (though they had been lately His Enemies) looking upon it as an open Breach of the Truce, He was like to have treated the Lord *Henry de Leon*, who was then a Priſoner in *England* in the ſame manner; but at the Interceſſion of the Earl of *Derby*, He gave him his Life and Liberty, on Condition that he ſhould go from Him to King *Philip*, and let Him know, *That the Truce having been broke by His late Murthers and Vnjuſt Actions, He thereupon defy'd Him, and therefore reſolved to renew the War:* Which accordingly began again, not long after, both in *Guyenne* and *Bretagne.*

[1.] *Froiſſ. ib.* K. *Edward* looks upon this Execution as a Breach of the *Truce*, and ſends the Lord *de Leon* to defie King *Philip.*

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Yet did not this *Accident* in *France* ſo take up the King's Mind, but that He ſpent the beginning of this Year in *Tourneaments* and other Martial Exerciſes; for I muſt here take notice, that the King being reſolved to renew the Memory of the Famous King *Arthur*, and His Knights of the *Round-Table*, [2.] had the laſt Year order'd a ſpacious Room of Wood to be erected at *Windſor-Caſtle*, no leſs than Two hundred Foot over, which He call'd the *Round-Table*, becauſe it was there He intended to treat all the *Knights* He not long after invited from Foreign *Parts:* Then on the Firſt of *January* this Year He began to hold His Feaſt of the *Round-Table* at *Windſor*, and alſo iſſued out *Letters* of Safe-conduct for all Foreign *Knights* and their Servants, who ſhould come to the Solemn *Tourneament* to be held there on the *Octaves* of St. *Hillary* (which fell that Year on the *19th* of *January*) and to be continued till *Candlemaſs* following.

[2.] *T. W.* The K. erects a ſpacious Room in *Windſor-Caſtle*, and there holds a *Tourneament* and *Feaſt* of the Knights of the *Round-Table.*

At the Day appointed there was a great Appearance both of *Engliſh* and Foreign Knights and Noblemen, and the Solemnity began with a Sumptuous *Entertainment*, or *Supper*; and the Day following the *Juſts* or *Tourneaments* began, and were continued almoſt every Day during the King's *Letters* of Protection, and were perform'd in the preſence of the Queen and all the Ladies of the Court, who had Scaffolds erected

At which there is a great appearance both of *Engliſh* and Foreign Nobility.

on

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on purpoſe to behold thoſe Manly Exerciſes; with which the King was ſo well pleaſed, that this firſt Building being erected ſuddenly with Timber, He about the beginning of *Auguſt* following cauſed Carpenters and Maſons to be hired, and Carriages to be impreſt, for a more durable Structure to be erected of the like Form, and for the ſame Exerciſe to be continued every Year.

The Miſtake of *Froiſſart* and *Polydore Vergil*, in aſcribing this Inſtitution of the Knights of the *Garter* to this Solemnity.

I cannot but here take notice, that to this Solemnity, which was held the beginning of this Year, both *Froiſſart* and *Polydore Vergil* do erroneouſly aſcribe the Inſtitution of the Knights of the *Garter*, and their Authority hath led many of our Modern Hiſtorians into the like Miſtake; for this Order was not inſtituted till about five Years after, as I ſhall ſhew you, when I come to that Time. But I muſt here obſerve by the way, that this Military Exerciſe of Tourneying or Tilting (as it was afterwards called) though it was a little too boiſterous, and ſometimes fatal to the Performers, yet certainly nothing contributed more to ſtrengthen the Bodies of our Young Nobility and Gentry, and to beget a Noble Emulation amongſt them, who ſhould acquit themſelves beſt at theſe Manly Exerciſes; by which means they were not only obliged to maintain a competent number of able Horſes for the Great Saddle, and fit for War, whenever there was occaſion; but their Owners, in order to theſe Military Performances, were likewiſe obliged to know how to ride and manage them, to be uſed to wear Armor, and to handle the Sword and Spear; a much more noble, manly and uſeful Expence, as well as Exerciſe, (ſince it enabled them to fight for the defence of their Country) than to ſpend a great part of their Eſtates in ſlight Race-Horſes and Hunters, according to the Mode of our more Polite, but leſs Warlike Age.

* Rot. Clauſ. 18 *Ed* 3. part. 1. m 14. dorſ. † Rot. Parl. 18 *Ed.* 3 n. 5. The King holds a *Parl.* at *Weſtminſter.*

After theſe Solemnities I find nothing of moment to have happened til the beginning of *June* following, when the King (according to * a Writ of Summons dated the 20*th* of *April* before) † held a Parliament at *Weſtminſter* on *Munday* next after the *Octaves* of *Holy Trinity*, or 7*th* of *June*: The next Day after their meeting the Names of the Lords were read and examin'd before the King in Parliament, to ſee who appear'd, and who fail'd, and the Names of thoſe who were not come were given to the King in Writing.

* Ib. n. 6, 7. The Chancellor declares the *Cauſes* of the *Parl.* to be about the Infraction of the Truce by the *French* K.; the *Articles* of which are there recited.

*On *Thurſday* following the Chancellor declared the Cauſes of the Summons to be, concerning the late Truce made in *Bretagne*, and the Breach thereof in Seven *Articles*; and began his Speech thus; *My Lords, in the* Truce *lately made, agreed and confirm'd, amongſt other Articles it was agreed*;

'That the Truce ſhould be kept in *Bretagne* between the Two Kings 'and their ſeveral Allies, notwithſtanding the *Right* they both claim'd 'in the ſaid *Dutchy*.

2. 'The *Second Article* he alſo repeated at length, which being the ſame 'with the *Ninth Article* of the Truce already mention'd, I need not re'cite.

3. 'The *Third* is, That there be no renewing of Injuries againſt each 'other, in prejudice of the Truce whilſt it continues.

4. 'Alſo that the ſaid Lords, their Adherents, Coadjutors and Al'lies, whatever they be, do remain in ſuch Poſſeſſion and ſuch Seiſin, 'as then they had of all Benefices, Lands and Poſſeſſions which they 'held, or had any ways enjoy'd during the Truce: The other Two, as 'not being much to the purpoſe, I paſs by.

7. ‘But the Seventh was, That none of either *Party*, by any Gift or *Promiſe*, ſhould be wrought on directly or indirectly to make War during the Truce.

‘Then the Chancellor proceeded to declare, How that ſeveral things had been done contrary to the ſaid *Articles*, as the King's Council have been inform'd by ſome *Perſons* of *Bretagne*.

‘* As firſt, That divers of the *Allies* of Him that calls Himſelf the King of *France*, have taken and impriſoned many Men at Arms, of the *Allies* of our King, and ſome they ſent into *France*, there to remain in Priſon during the *French* King's Pleaſure.

* Ibid. The Breaches of ſeveral of theſe Articles ſet forth.

‘Alſo the ſaid *Adverſary* hath cauſed many *Knights*, *Eſquires*, and other Perſons of *Bretagne*, (theſe, I ſuppoſe, were the Lord *Clyſſon*, and the other Gentlemen of *Bretagne* already mentioned) who were known to be in the *Legiance* of our King before the Truce made, (and were compriſed in it, and ought to have been protected by it) to be carried to *Paris*, and there put to death without the *Aſſent* or *Decree* of the Peers and Others of His *Council* in Parliament: And others He had cauſed to be murthered in their own Country, falſly and maliciouſly, againſt the ſaid Truce, and againſt His Oath. And that the ſaid *Adverſary* had ſent Men at Arms, and Foot, in great Numbers, into *Gaſcoigne* and *Bretagne*; who, after the Truce made, took Caſtles, Towns, and Fortreſſes, and ſeiſed the Lands and Eſtates of thoſe who were in Poſſeſſion, and under the Obedience of our King at the time of the Truce made: In which, amongſt other things, it is contain'd, *That no new Action ſhould be attempted, during the Truce.*

‘And further the ſaid *Adverſary* endeavours, by all ways He can, to take and ſeiſe all the Lands and Poſſeſſions which our King had beyond Sea, and to procure His Allies in *Brabant*, *Flanders*, and *Almaign* or *Germany*, to leave Him; and are reſolved (as our King and Council have been certainly inform'd) to conquer *England*, and deſtroy the *Engliſh* Language, if a ſufficient Remedy be not applied to oppoſe His Malice. On the other ſide, the *Scots*, who are the ſaid *Adverſaries* Allies, have openly declared, That when He gives them notice, they will not obſerve or regard the Truce, but march into *England*, and do what Miſchief they can.

‘* Wherefore the King prays, and charges the Prelates, Earls, Barons, and Commons, that, theſe things conſidered, they would give Him ſuch Advice and Aſſiſtance, as is neceſſary for the ſaving His and their own Rights and Honours.

* Ibid. The K. thereupon deſires the ſpeedy *Advice* and *Aſſiſtance* of the Lords & Commons.

‘Which things being recited to the *Archbiſhops*, the *Prelates*, *Earls*, *Barons*, and others of the *Commons*, they pray, that they may deliberate till *Monday* next following.

And * from that *Monday*, becauſe they had not then fully declared, they deſired further reſpite till *Wedneſday*, being the Eve of St. *John Baptiſt*: Upon which day, the *Archbiſhop* and Ten other *Biſhops*, Five *Abbots*, Two *Priors*, Eight *Earls*, Six *Barons*, being all there named in the Record, and the *Commons* of the Realm Aſſembled in the *White-Chamber*, in the preſence of the King; and having regard to the great Miſchiefs and Dangers which may befal the King, and all His Subjects and *Allies*, if the Malice of His *Adverſary* be not ſtopped: And conſidering the heavy Charges, which the Great Men and Commons of

* Ib. n. 8. Who deſire longer time to deliberate upon it.

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England had been at, and ſuffered, by reaſon of the War continuing ſo long, by falſe Truces and Sufferances; and ſeeing that an end of the War, or ſo good a Peace as ought to be, cannot be made without great Power and Force of Men; they therefore pray the King, with one Accord, and every particular Perſon of the Great Men, for himſelf, that He would make a ſpeedy end of this War, either by Battel, or by a Convenient Peace, if it might be had.

They adviſe the K. to make an end of the War.

Ib. n. 10. And not put off His Voyage beyond Sea for any Letters from the *Pope* or any other; after which the *Parl.* and *Conv.* grant the K. a great *Tax* for this War, but on certain Conditions.

And that when the King ſhould be ready to paſs beyond Sea, to take what God ſhould allot Him, upon the Iſſue of this *Affair*; He would not, for the Letters or Command of the Pope, or any other, lay aſide His Voyage, until He had made an end one way or other. The which Prayer the King fully granted. But becauſe all this could not be done without a Great and Agreable *Aid*, the *Archbiſhops*, *Biſhops*, *Prelates*, and *Procurators* of the Clergy of the Province of *Canterbury*, in Convocation, granted to the King a *Triennial Tenth.* Then the *Commons* granted to the King for the ſame Cauſe, *Two Fifteenths* of the Commonalty of the Land, and *Two Tenths* of the Cities and Burghs. Yet after that, the ſaid *Commons* granted another *Fifteenth.* See the Conditions of theſe Grants in the Statutes at large, 18 *Ed.* 3. tranſlated exactly from the *French*, on this Roll, from N. 14, to N. 23. which Statute was made at the Petition of the *Commons*, and is called in the *Todding* on the * Roll, the *Charter of the Commons*: Where is alſo the Statute or Charter of the Clergy, bearing date the *Eighth* of *July*, in the Eighteenth Year of His Reign, which gave them many Privileges in both theſe Statutes, that are now in a manner become obſolete. 'Tis ſaid, the Great Lay-men (that is, the Earls and other Noblemen of the Kingdom) having granted to paſs over and adventure themſelves with the King; they therefore are not found upon the Roll to be taxed.

* Rot. Parl. n. 23.

The Reſidue of this Year was ſpent in Tourneaments and other Military Exerciſes, at *Dunſtable*, *Smithfield*, and eſpecially at *Windſor*, in Feaſtings, Revellings, Dancings, and all Sorts of Diverſion.

[3.] T. W. Ib. n. 24. The *French* K. gives His Subjects Timber out of His Foreſts to build Ships.

Since *England* affords us nothing more conſiderable, we ſhall look into *France*; where we find, [3.] King *Philip*, not long after the ſetting up of His *Round-Table* at *Paris*, (which He did in the Beginning of the Year, in Emulation to King *Edward*) made a very Politick Order, to encourage the *French* to build Ships, in hopes that thereby He might beat the *Engliſh* at Sea; and He gave His Subjects leave to cut down Timber for that purpoſe, *gratis*, in His own Foreſts.

[4.] *Mezeray in hunc Ann.* But Impoſes the firſt *Gabelle* upon Salt, which proves very grievous to His Subjects.

But [4.] as this King granted ſome things that were very Beneficial to His Subjects, ſo He likewiſe laid greater Impoſts upon them than any of His Predeceſſors had done before; which very much cool'd their Affections towards Him: For beſides the Extraordinary Taxes which His Subjects granted Him for His Wars, it ſeemed very grievous that He impoſed a *Gabelle* upon *Salt*: For which cauſe, King *Edward*, by way of Raillery, called Him, *The Inſtitutor of the Salique-Law.* This Impoſt, which makes the very Natural Benefices of the Sun and Water Saleable, was the Invention of the *Jews*, as the Word *Gabelle* denotes, which comes from the *Hebrew* Original.

Notwithſtanding King *Edward*'s Defiance of the *French* King, it ſeems, the Biſhop of *Norwich*, with the other Commiſſioners ſent the laſt Year to treat with thoſe of *France*, before the *Pope*, were not as yet return'd: For we find by * a Roll of this Year, that there were two other Commiſſioners added to the former; *viz.* *John de Thoreſby*, and Sir *Ralph Spigurnel* Knight; who appeared before the Pope on the *Five* and *Twentieth* of *November*, and then delivered to Him the K's Letters; who appointed the next day to give them Audience, about the Buſineſs for which they came. When they told the Pope, that they were ſent to Him upon two Accounts; firſt, For an Amendment of what had been attempted againſt the Truce; and, 2*ly*, That they might aſſiſt the other Commiſſioners in the Treaty. Then after two days Attendance, when they ſaw the *Pope* ſtill deferr'd, or elſe was not willing to return them a poſitive *Anſwer*; and alſo found by the King of *France*'s Commiſſioners, that King *Edward* ſhould never enjoy any thing in *France*, but under their Maſter's Subjection; they reſolved to treat no more, before they knew the King's Mind: Yet at laſt the *Pope* told them, He would ſend Sir *Hugh Nevill* to Him with Letters, and likewiſe Sir *Simon de Buſſy* to the King of *France*: And thus the Treaty for a time ſtood ſtill, until it was quite broke off about the end of *November*. When the King's Commiſſioners ſaw, that the *Pope* had created Prince *Lewis* of *Spain*, King of the * *Fortunate Iſlands* near *Affrica*, and that under the Pretence of Conquering them, he began to raiſe Men in his own, and the *Pope*'s Name, over all *France* and *Italy*; they no longer doubted, but that all theſe Preparations were deſigned againſt *England*; wherefore they ſecretly left *Avignon*, and made all the haſte home they could; where they related theſe Matters to the King; and *Du Cheſne* himſelf confeſſes, that the Preparations were really intended againſt King *Edward*; tho', as being a *Frenchman*, he qualifies the matter, ſaying, it was only in order to reſiſt a New War, which was lately threatened by the Mouth of Sir *Henry de Leon*, as hath been already related.

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* Rot. Franc. 18 *Ed.* 3. m. 2.
Other Commiſſioners ſent to the Pope, with the effect of that Negotiation.

The Treaty before the *Pope* at laſt quite broke off, and for what Reaſons.

* Suppoſed to be the *Canaries*. *Vid. Ferrar. Lex Geograph.*

Not long after the Beginning of this Year, the [4.] King ſent Sir *Thomas Dagworth* over into *Bretagne*, with *One Hundred* Men at Arms, and *Two Hundred* Archers, to reinforce the Counteſs of *Montfort*, becauſe He knew, the War between her and Count *Charles* of *Blois* would ſoon break out again. And the King having a little before received News out of *Gaſcoigne*, that His *Affairs* were but in a weak Condition in thoſe *Parts*, He thereupon reſolved not only to ſend ſufficient Forces to defend His Territories there, but which might alſo carry on the War vigorouſly againſt *France*, ſo ſoon as it ſhould be freſh declared. But that He might do nothing unfairly, * He iſſued out His Commiſſion to *William Bohun* Earl of *Northampton*, dated the *Four* and *Twentieth* of *April*; whereby He empowered him to carry a Defiance to *Philip* of *Valois*, *as a* Truce-breaker, *His Capital Enemy, and Unjuſt* Uſurper *of His Inheritance, the Kingdom of* France. Which *Defiance* being made, he was order'd to go with *John* Earl of *Montfort* into *Bretagne*, as the King of *England*'s Lieutenant-General, to defend that Dutchy againſt the Lord *Charles* of *Blois*, being alſo empowered to receive the Fealty and Homage of thoſe People in the King's Name, which was due to Him as Sovereign of *France*: A like *Power* having, Three Years before, been given him in the ſame *Parts*; all which he perform'd accordingly.

Anno Dom. MCCCXLV.

[4.] *Froiſſ.* c. 102.
The K. ſends Sir *Tho. Dagworth* into *Bretagne* with ſome Forces, to aſſiſt the *Counteſs* of *Montfort*.

* Rot. Franc. 19 *Ed.* 3. m. 24. P. 1.
The K. empowers the E. of *Northampton* to defy the *French* King, and then appoints Him Lieutenant-General of *Bretagne*.

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* Rot. Rom. 19 *Ed.* 3. m. 2. n. 4.

The K. juſtifies His Actions in a Letter to the *Pope.*

Preſently after this, * the King thought fit to juſtifie His late *Actions*, in a Letter to the *Pope*, the effect of which was; ‘That for the
‘ avoiding of the Dangers and Damages that might ariſe, by reaſon
‘ of the Wars between Himſelf and *Philip* of *Valois*, He had offer'd
‘ Him many Propoſals of *Peace*, that ſo He might apply Himſelf (as
‘ He much deſired) to the Service of His *Redeemer*, beyond Sea; but
‘ was always put off, and delay'd with fair Words and Treaties, without
‘ any effect, to His great Prejudice. Then after a Narrative of
‘ the Truce made before *Vannes*, He complains, that when He returned
‘ into *England*, and had left only a few Men in *Bretagne*, and ſent
‘ His Commiſſioners to treat before His Holineſs about a Peace, He
‘ received News which pierced His very Soul, *viz.* That certain Noblemen
‘ of *Bretagne*, were, by Command of *Philip*, taken at *Paris*,
‘ and unjuſtly put to death; and alſo complains of the Great Ravage,
‘ and Depopulation, made in *Bretagne*, *Gaſcoigne*, and other Places:
‘ That He endeavour'd by Crafty and Secret Treaties, to draw His
‘ *Allies* and Subjects from Him, and procured divers other things to
‘ be done againſt the Truce, by Sea and Land; therefore He (the
‘ King) thought it utterly broken and diſſolved by His *Adverſary* of
‘ *France*.

‘ Then He proceeds further to complain, That ſince the Time of
‘ Treaty before His *Holineſs* was expired, and no Reaſonable Terms
‘ of *Peace* had been propos'd, nor the things done againſt the Truce
‘ reform'd or amended, but rather encreaſed and multiplied; altho'
‘ by His *Holineſs*'s Letters, the ſaid *Philip* had been often required to
‘ reform them; (not to ſay any thing of His Legate, who being ſent
‘ into *Bretagne*, to cauſe the Truce to be obſerved, yet took the contrary
‘ Part) He therefore thought Himſelf excus'd by God, *Holy*
‘ *Church*, and the *World*, if, ſeeing He could have no other Remedy
‘ in a Juſt Cauſe, He now declar'd the Truce diſſolved by *Philip*;
‘ and therefore defied Him, and again renewed the War, proteſting
‘ He would attempt nothing that might offend His *Holineſs*, or the
‘ *Apoſtolick See*; both which, He ſtill deſired to revere; or that
‘ might do injury to any one; but only with Moderation to defend
‘ Himſelf, and proſecute His Juſt Rights; aſſerting, that what He did was
‘ for want of other Remedy, and againſt His Will; offering *Peace*,
‘ whenever He might have a good one, by juſt means, and on equal Terms.

I ſhall here alſo ſubjoin the *Pope*'s *Anſwer* to the King's *Letter*, tho' it was not ſent till ſome time after; that ſo the Reader may make a better Judgment concerning the Grounds King *Edward* had to renew the War, before the Time of the Truce was expired; for tho' the *Pope* would therein ſeem to act only as a *Mediator*, yet He plainly juſtifies the *Proceedings* of the King of *France*. The Letter being very long, I ſhall give you the effect of it in as narrow a Compaſs as I can.

* Rot. Rom. ib.

The Subſtance of the Pope's *Anſwer* to it.

*It begins with the Obliging Appellation, of ‘*Beloved Son*; and then
‘ calls God to witneſs, who underſtands all Secrets, That He had faithfully
‘ endeavoured to procure a Peace between Him and the King of
‘ *France* without Partiality, and would not yet ſpare any Pains for the
‘ effecting it: And He goes on and tells Him, That thoſe who wrote
‘ His *Letters*, probably underſtood not the Truth of the Affair, for that
‘ there were ſome Things left out which cauſed Notable Errors: For
‘ it was agreed by the Truce, That there ſhould be ſome of the Royal

‘ Blood

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'Blood commiſſioned to treat on either ſide in His preſence; and tho' the King of *France* had ſent ſeveral of His Royal Blood, and many *Prelates* of great Authority (as had been agreed) with ſufficient Power, who were very ready to treat, yet He (the King of *England*) had ſent none ſuch; and therefore it ought to be conſidered, whether the King of *France*, or Himſelf were in fault, that the Peace did not proceed as it ought to have done.

'Next He proceeds to juſtifie King *Philip*'s puniſhing thoſe Noblemen mention'd in the King's *Letter*, and upon which, He alledged, the Truce was broken; to which His *Holineſs* replies, That He had already wrote to Him, and alſo told His Commiſſioners, That King *Philip* in anſwer to the Invective *Letters* He had wrote to Him upon that Subject, affirmed, That thoſe Noblemen had manifeſtly violated the Truce, by committing Murthers, by burning and waſting the Countries, and doing other horrid Wickedneſſes in *Bretagne*, where they were taken and puniſhed according to Juſtice; and that the ſame perſons had owned they were not in confederacy with Him, but with *John* of *Bretagne*, Earl of *Montfort*, who had alſo deny'd, when at *Paris*, that he had any Confederacy with Him, *viz.* King *Edward*.

Though, by the by, this ſeems but a meer Pretence, ſince it is certain, that the King had long before entred into a Confederacy with the *Counteſs* of *Montfort*, Wife to the ſaid Earl, on His behalf; and if it could not be made actually with himſelf, it was becauſe he was then a Cloſe Priſoner; but indeed he had done *Homage* to K. *Edward* before that time, upon condition of His aſſiſtance: And if this did not mount to a Confederacy, I leave the Reader to judge.

This I take notice of, that you may obſerve how eaſie the Pope was to believe any thing that would make for the *French* King's *Juſtification*, tho never ſo frivolous.

But to return to the *Letter* it ſelf: Then as to the King's *Complaints* of what had been done againſt the *Truce* in *Bretagne*, *Gaſcoigne*, and other Places, He anſwers; 'That the King of *France* had likewiſe complained of divers Things done againſt the Form and Tenor of the *Truce* in the ſame Places, as alſo upon the Sea, having exhibited to Him divers *Articles* thereof; and that therefore He had directed *Letters* to them both about this *Matter*; to which the King of *France* anſwered, He would inviolably obſerve the *Truce*, and cauſe whatever had been done againſt it to be revoked, provided King *Edward* would do the like: And that having charged Him with giving aſſiſtance to *Charles* of *Blois*, as Duke of *Bretagne*, K. *Philip* had often wrote back, That He had never aſſiſted Him ſince the *Truce* with Men or Money, and His Son, the Duke of *Normandy*, had in His (the Pope's) preſence conſtantly affirmed the ſame.

'And whereas He Himſelf had wrote effectually to *Charles* of *Blois* about the obſervation of the *Truce*, he thereupon came to Him, and in the preſence of the Cardinals that mediated the *Truce*, declared and affirmed, he never entred into the *Truce*, nor was ever required or asked to do it; and that by the Words of the *Truce* he could no ways be comprehended in it; of which he had given notice to His Majeſty's Commiſſioners before their departure from his Court.

But this was likewiſe a *Pretence* of *Count Charles*; for tho he is not particularly named in the *Articles*, yet it was without doubt intended he ſhould be comprized in them, as appears by the *Fourth Article*, *viz.* That the foreſaid *Truce* ſhould be kept in *Bretagne* between the ſaid Ks, and their Adherents, ſince both Parties claim a *Right* to that Dukedom: From whence it appears, that both the *Pretenders* were looked upon as *Adherents* to one of theſe Kings, or elſe this Clauſe ſignified nothing. So much I thought fit to remark by the by.

The *Pope* offers again to conſider the *Complaints* made on both ſides.

Then His Holineſs ſets forth, 'That He thought it moſt expedient for the avoiding of Scandal, and for other Cauſes, to conſider the *Complaints* made on both ſides, which were long, many, and intricate, according to a *Method* to be propounded, and conſented to by both *Parties*, concerning the *Revocation*, of what had been done againſt the Truce, with which He had acquainted His Commiſſioners, and to the ſame purpoſe wrote to them both; to which the King of *France* had returned His *Letters* of *Conſent*, according to His Propoſition, ſealed with His Seal, readily and freely, without any limitation of Time; but that He, (*viz.* King *Edward*) prefixed ſo ſhort a Time, as nothing could be undertaken in that Buſineſs.

'Then He proceeds to juſtifie the late Proceedings of His *Legate* in *Bretagne*, as not being *partial* to either *Party*; and that as much as in Juſtice He could, He had been more favourable to the King's ſide than to the Other, as *Count Charles* of *Blois* had by *Letters* and *Meſſages* grievouſly complain'd to Him; yet however, He had now upon Complaint of His Friends recalled Him, and if any undue Practices were proved againſt Him, He ſhould further correct Him. After theſe *Anſwers* He puts the King in Mind, that againſt the Tenor of the *Truce* He had ſeized upon the City of *Vannes*, and expelled thoſe who were to keep it by direction of the Cardinals and Mediators in the Name of Him and the *Roman* Church, during the Truce; who were to diſpoſe of it afterwards as they ſhould think fit; of all which He ſaid nothing in His laſt *Letters*.

The *Pope* enjoins the K. to obſerve the *Truce*, and put the *City* of *Vannes* into the Hands of the Legates.

'Then He goes on with a long and tedious Diſcourſe, telling Him how God had fitted Him with many *Endowments* to proſecute His Cauſe againſt the Enemies of the *Chriſtian Faith*; after which He earneſtly perſwades Him to undertake the *Holy War*, and calmly to conſider, whether the violation of the *Truce* ought to be imputed to the King of *France*, or rather to Himſelf? withal requeſting and exhorting Him in the Lord, and enjoining Him by virtue of the *Oath* He had made, to obſerve the Truce; to reſtore the City of *Vannes* into the hands of the Cardinal-Legates, in the ſame Condition it was when He expelled thoſe they had appointed to keep it in the Name of *Him* and the *Church*, during the whole time of the *Truce*, as is therein expreſſed; and to return to the obſervation of the *Truce*, which was to laſt until *Michaelmaſs* next coming, and a Year afterwards; and to omit His Warlike Preparations and Inſults, promiſing to prevail with the King of *France* to do the like.

That the King would ſend ſome freſh *Commiſſioners* to Him, and offers Himſelf to be a *Mediator*.

Laſtly, 'He concludes with Prayers and Exhortations, That He would renew the Treaty of Peace, and to ſend ſome able and experienced Commiſſioners with full Power to treat of it; and promiſes, that having God only before His Eyes, He will promote it without Partiality,

‘ lity, to the Praiſe of His Name, and the Honour and Profit of both Par‘ ties: And would induce the King of *France* to do the ſame. The Day of the *Date* and *Month* of this *Bull* are not legible, but the *Year*, being the *Fourth* of *His Pontificate*, falls out this very *Year*, which was the 19*th* of this King's Reign.

[4.] Yet He did not think this ſufficient to make the Juſtice of His Cauſe known to the World, therefore not long after He publiſhed a large *Declaration* containing the Subſtance of what He had already wrote to the Pope, giving a *Particular Relation* of all the *Proceedings* that had been before *His Holineſs*; as alſo of the late *Actions* of the *French* King. This *dated* at *Weſtminſter* the 14*th* of *June*, in the 19*th Year* of His Reign over *England*, and over *France* the 6*th*.

[4.] *Chron. Ad. Mur. MS.*

K. *Edward* was now reſolved to leave off the Combats of the Pen, and return to thoſe of the Sword, which alone could do His Buſineſs, and to this end [1.] He ſent the Earl of *Arundel*, His *Lieutenant*, into *Gaſcoigne*, accompany'd by the Earls of *Pembroke* and **Oxford*, with 300 *Knights* and *Eſquires*, 2000 *Archers*, and 1000 Men at Arms, who taking Shipping at *Southampton*, landed at *Bayonne*, and after a ſhort ſtay there, they went to *Bourdeaux*, when they had refreſhed themſelves there a few days, they marched into the *French* Territories as far as the Town of *Bergerac*, where the *French* that lay in Gariſon ſeeing the *Engliſh* that came before it were much fewer in number than they expected, they ventur'd to ſally out upon them before they could come over the Bridges, and paſs the River *Dardogne*, on which the Town is ſeated; but they being moſt of them Countrey-Peaſants, and but ill arm'd, could not ſtand before the *Engliſh*, who were old experienced Soldiers; but running away toward the Town, the *Engliſh* follow'd them Pall-Mall, and had enter'd it with them, had they not immediately ſhut to the *Gates*, ſo that they then only took the Suburbs; but when the Earl ſaw that the Town was too ſtrong to be taken on that ſide, he ſent for about ſixty ſmall Ships, and ſome Barques from *Bourdeaux*, with which his Soldiers landed on that ſide next the River, which was not walled, but only fortify'd with a *Palliſado*, great part of which was preſently beaten down by the *Engliſh*; but it being now late at Night, the Gariſon deſired a *Truce* till the next Morning; before which time (finding the Place not tenable) they marched off with Bag and Baggage to *La Reole*, a ſtrong Town about eleven Leagues off, upon the River *Garrone*; then the next Morning, the Townſmen being thus deſerted, ſurrender'd the Place, upon condition of having their Lives and Goods ſaved, which the Earl graciouſly granted them; and ſo delivering him the Keys of the Town, they ſwore to him *Fealty* on the behalf of the King of *England*.

[1.] T. W. *Froiſſ.* c. 103, 104.

* Call'd by this *Author Quentfort*, but erroneouſly.

The K. ſends the Earl of *Arundel* His *Lieutenant* into *Gaſcoigne*, attended by ſome other Earls with great Force.

The *Engliſh* rout the *French* at *Bergerac*, which not being tenable, is deſerted by the Gariſon.

Then [2.] the Earl having ſtay'd here two days to reſt His Men, and on the third marched forward into the *Countrey*, and poſſeſſing themſelves of certain Caſtles in their way, took the Towns of *Beaumont*, *Le Lac* and *Monagaret*, the firſt of them by Storm, and the two latter on Conditions, as he did likewiſe the *Town* of *Bounal*. They paſſed by the *City* of *Pierregont*, being too ſtrong for their ſmall Forces to compaſs, and marched forward to attack the Caſtle of *Peligreu* not far off, when the Night following, there ſally'd out of the *City* laſt mentioned about Two hundred Spear-men, and falling upon the *Engliſh* Camp, ſlew and hurt many, and carry'd away the Earl of *Oxford* Priſoner into the

[2.] Id. c. 105.
The Earl marches forward, and takes ſeveral *Caſtles* and ſtrong places.

Town;

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The *Engliſh* are ſurprized by the *French* in their *Camp*, and the Earl of *Oxford* is taken Priſoner, but exchanged.

Town; however, the *Engliſh* ſtill beſieged the Caſtle of *Peligreu*, which proving too ſtrong to be taken, the Earl thought beſt to come to Terms with the *Count* of *Perigord*, upon condition, That the Earl of *Oxford*, with three *Knights* more, ſhould be exchang'd for as many *French* Noblemen, and that there ſhould be a *Truce* obſerved for the ſpace of Three Years, ſo that neither the *French* nor *Engliſh* ſhould make any War upon each other in thoſe Parts, during that Time.

[3] Id. ib. The Earl having taken ſeveral other *Caſtles* and *Towns*, returns to *Bourdeaux* in triumph.

The Earl [3.] decamping from thence, turn'd into the Territory of *Tholouſe*, and beſieged a ſtrong Caſtle called *Auberoche*, belonging to the ABp of that *City*, which being ſummon'd to ſurrender, they yielded the Place, ſince they ſaw the *Count* of *Laille*, who commanded in thoſe parts, was not able to bring ſufficient Force for their Relief. And here the Earl thought beſt to return back towards *Bourdeaux*, and in his way home he ſate down before a fine *Town* call'd *Libourn*, within nine Leagues of *Bourdeaux*, and having ſummon'd it, the *Inhabitants*, fearing to come to extremity, ſurrendered the *Town*, and ſwore *Homage* to the King of *England*: Then the Earl having left Sir *Frank van Halle* Governour of *Auberoche* with a ſtrong Gariſon, he return'd to *Bourdeaux* with the reſt of his Forces, where he was met by the *Citizens* in a Solemn Proceſſion, as having much enlarged the *Engliſh*-Territories: But though it was now about the end of *July*, and *Winter* far off, yet the Earl conſidering it was in vain to take in more places, unleſs he had Men ſufficient to gariſon them, his Forces having been very much diminiſhed in the late *Expedition*, reſolved to do no more this Campaign, but to keep thoſe places he had already taken.

[4.] Id. c. 107. The *Count La de Laille* muſters up an Army, and beſieges *Auberoche*.

Yet [4.] this he was not long able to do, for the *Count de Laille*, who was ſtill at *La Reole*, when he underſtood that the Earl of *Derby* lay at *Bourdeaux*, without any appearance of taking the Field again that Year, wrote immediately to the Earl of *Perigord*, the *Viſcount* of *Carmain*, the Earls of *Comminges* and *Bruniquel*, and divers other Lords of *Gaſcoigne*, who held with *France*, that they ſhould all inſtantly join their Forces, and meet him by ſuch a day before *Auberoche*; which being put in execution accordingly, they laid vigorous ſiege to the Place before the *Engliſh* were aware of it; and the *French* ſo ſhook the Walls, and beat down the Roofs of the Towers with great Stones from their Engines of Battery, that the Beſieged were forced to repoſe themſelves in *Vaults* and *Cellars*, ſo that they were almoſt reduced to the laſt extremity. When the Earl of *Derby* received notice by a Spy of the deſperate Condition of the Place, he was much concerned for it, as alſo for his Friends that were in it, and therefore reſolved to undego any Danger, ſo he might ſave them; in order to which he made up a ſmall flying *Party* of about 300 Lancers, and 600 Archers, but they were not ſtrong enough to encounter the *French* Army, (which was between 10 and 12000 Men); wherefore to reinforce thoſe few Forces, he had ſent to the Earl of *Pembroke*, who was then Governor of *Bergerac*, to meet him at *Libourn*, with what Men he could draw out of that Gariſon; but he not coming at the Time appointed, the Earl of *Derby* would not any longer defer his Deſign, leſt the Enemy ſhould get *Intelligence* of his March, which he ſtill perſued with that ſecrecy and expedition, that being attended by the Earl of *Oxford*, Sir *Water Manny*, and ſeveral other Gentlemen, they came upon the *French* Camp

Which is reliev'd by the Earl of *Derby* with no great Forces, and the *French Army* routed.

in the Cloſe of the Evening, when they were at Supper, and falling in among the *Gaſcoigners*, and killing all that came in their way; it ſo alarm'd the whole *Army*, that they knew not which way to turn themſelves In the mean while the *Engliſh* Archers, who ſtayed without the Camp, ſhot furiouſly, and ſlew many of thoſe that came out of it, and endeavour'd to rally; and at the ſame time the Men at *Arms* who were within, eaſily overcame thoſe that they found unarmed and diſorder'd in the Camp; ſo that in ſhort, the Earl of *Laille* himſelf, being firſt grievouſly wounded, was taken Priſoner in his own Tent, and the Earl of *Perigord*; but the Lord *Duras*, and divers other Officers of Note, were ſlain upon the *Place*.

The Earl of *Laille* taken *Priſoner*, and many Nobles and Officers ſlain.

But for all this, the other Half of the *French* Army remain'd as yet entire and undiſturbed: And now the Earl of *Cominges*, the Viſcount of *Carmain*, with the reſt of the Noblemen that were with them, who lay encamped with a Moiety of the Army on the other ſide the Caſtle, having had ſufficient notice of the Enemies Approach, were riſen, and drawn out into the Field in order of Battel. When the *Engliſh*, by this time, being fluſhed with their Victory, which they were now afraid to loſe, drew up again in good Order, and placing the Archers in the Wing, briskly Charged the Enemy; who made alſo a Vigorous Defence. But whilſt the Succeſs yet remained doubtful, Sir *Frank Van Halle*, with the Gariſon from within the Town, turned the Scale: For having notice, by the Noiſe of the Trumpets and Shouts of their Victorious Countrymen, what was doing without, they boldly ſallied upon the Backs of their Enemies with a Terrible Outcry, and fully perfected their Defeat; and reſolving to be revenged for what they had ſuffer'd, gave them no Quarter: So that in this Action, above *Seven Thouſand* of the *French* were Slain, and a great many taken Priſoners; among the latter, were Nine Earls and Viſcounts, of Lords and Knights Two Hundred, and of Eſquires and other Soldiers ſo many, that every *Engliſhman* had two or three Priſoners; the reſt were ſaved by the Darkneſs of the Night. This Victory is as great an Inſtance of what a few Courageous Men may do, by taking their Advantage over a more numerous Enemy, as any can be ſhewn in Hiſtory, and is owned as ſuch by the *French* Hiſtorians themſelves.

The other part of the *French Army* is alſo put to flight, by the Sallying of the Gariſon out of the *Town*.

Seven Thouſand *French* are ſlain, and a great many Noblemen and others taken *Priſoners*.

The [5.] *Engliſh* dealt very kindly with their Priſoners, and ſuffered many of them to go, upon their Oath to return with Money for their Ranſoms, or to render their Bodies by ſuch a day at *Bergerac*, or *Bourdeaux*. The Fight being ended, all the *Engliſh* entred into *Auberoche*, and there the Earl of *Derby* treated the *French* Earls, and other Noblemen, his Priſoners, at Supper. This Victory was obtain'd on St. *Lawrence*'s Day, or 10*th* of *Auguſt* at Night, 1345, or as *Froiſſ.* reckons 1344 but herein he is miſtaken, as I ſhall ſhew by and by. About the ſame time, the Earl, like a Pious General, gave Orders, that Publick and Private Thankſgiving ſhould be return'd to God; becauſe, by his immediate Hand of Providence, a Thouſand of them had overcome near Twelve Thouſand of the Enemy, and had ſeaſonably relieved this Town, and ſaved their Friends, who in all likelihood would otherwiſe have been loſt.

[5.] Id. ib. The *Engliſh* ſet free their *Priſoners* for eaſie Ranſoms; and the General returns ſolemn Thanks to God for their Victory.

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The Earl of *Pembroke* arrives after the Fight, and is at firſt diſſatiſfied, but alters his mind upon this great Succeſs.

The next Morning after the Fight, arrived the long expected Earl of *Pembroke*, with Three Hundred Men at Arms, and Four Thouſand *Archers*, and ſeemed diſpleaſed that the Buſineſs was over before he came: But upon the Earl of *Derby*'s Excuſe, that they had waited for him as long as they durſt, without loſing an Opportunity, which could only then be laid hold on; he reſted ſatisfied, the great Succeſs of this Undertaking anſwering indeed all the Objections that could be made againſt it; as on the other ſide, had it proved otherwiſe, it would have been thought a very Raſh Action.

After this, the Earl of *Derby* made Sir *Alexander Chaumont*, a Valiant Knight of *Gaſcoigne*, Governor of the Gariſon; and having tarried ſome time in *Auberoche*, during which the *French* Battering Engines were brought into the Town, and their Camp ſpoiled, he departed the next Morning with the Earl of *Pembroke*, and his own Forces for *Bourdeaux*.

[1.] Mr. *Barns*'s Hiſt. p. 305. *Froiſſ.* miſtake in making two Expeditions of one.

* *P.* 315.

I cannot but here take notice, [1.] that the Learned Writer of the Life of King *Edward*, being miſled by *Froiſſart*, contrary to all our Hiſtorians, places theſe *Actions* of the Earl of *Derby* under the laſt Year, and only ſuppoſes what follows to have been performed under this; making two Expeditions of that which was really but one, as any Body may obſerve, that will but compare what he ſays in his * 23*d.* Chapter, concerning the Earl's going over again into *France* this Year, with the *Account* he gives of it in the foregoing Chapter. And he will find it to be one and the ſame Expedition, by the Time the Earl began this, as alſo from the Place he went on Shipboard, as well as that where he landed; and both what was paſt and what follow'd to have been perform'd in one and the ſame Campaign, as all the Hiſtorians, both *French* and *Engliſh*, (except *Froiſſart*) do agree. But to return to our Hiſtory.

[2.] *Froiſſ.* c. 108. The E. makes another Incurſion into the *French Territories*, and takes ſeveral *Towns* & *Caſtles*.

After [2.] the Earl of *Derby* had reſted his Men, and ſtrengthened his Army with freſh Recruits, he was reſolved to lay hold on this Opportunity (when the *French* had no *Army* in thoſe Parts) to make another Incurſion into their Territories, and, if poſſible, to lay Siege to the ſtrong Town of *la Reole* already mentioned. And to this end, leaving *Bourdeaux* about the end of *Auguſt*, he marched to *Bergerac*, where joining Forces with the Earl of *Pembroke*, making in all Two Thouſand Men at *Arms*, and Three Thouſand Croſs-bows on Horſeback, he marched to the *French* Frontiers, and took the Caſtle of St. *Baſil*, and from thence advanced to a ſtrong Place called *Rochemillon*; which, tho' he knew it to be very well fortified and mann'd, yet he reſolved to aſſault: But finding a vigorous Reſiſtance, he cauſed the Ditches to be fill'd with Faggots, and the Walls to be undermined by his Pioneers, whilſt his *Archers* ſhot ſo thick upon thoſe within, that they ſcarce durſt ſhow themſelves on the Walls; ſo that a large Breach being made, the *Engliſh* enter'd the Town and Caſtle, and put all to the Sword, except thoſe whom, being fled to the Church, and there imploring his Mercy, the Earl pardon'd.

[3.] Id. ib. The *Town* of *Montſegur* agrees to ſurrender, if not reliev'd by a time prefixt, and gives Hoſtages to perform it.

Then [3.] leaving a Gariſon in this Place, he march'd forward, and laid cloſe Siege to the Town of *Montſegur*, which proving too ſtrong to be eaſily taken by Force, and the Earl not thinking it worth his while to ſtay till he could reduce it, accepted of the Offer made him by the Governor of the Gariſon and Townſmen, That if they were

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not relieved within the Space of a Month, they would quietly ſurrender the Place into his Hands: And for the true Performance thereof, Twelve of the Richeſt Burgeſſes were ſent Hoſtages to *Bourdeaux*. From thence the Earl went on, and ſat down before the ſtrong Caſtle of *Aguillion* in *Agenois*; where as ſoon as he arrived, and had ſummoned it, the Governor ſurrender'd, on condition of marching out with Bag and Baggage. But when he came to *Thoulouſe*, the *French* hanged him for a Coward, for ſo eaſily giving up this Important Fortreſs; which being ſeated on the Point where two Rivers met, was counted one of the Strongeſt Places in *Europe*.

The Earl lays Siege to the ſtrong Caſtle of *Aguillion*, which, upon Summons, is ſurrender'd, but the Governor is hang'd by the *French* for a Coward.

[5.] Then the Earl having taken the Town of *Segart* by Aſſault, came before the Town of *la Reole*, being the Place for which he chiefly deſigned this Expedition; when having laid cloſe Siege to it, and made ſeveral Aſſaults againſt it with Engines upon Wheels, which being built three Stories high, each Stage containing One Hundred Archers; which, when the Ditches were fill'd up, were drawn cloſe to the Walls, and under the Covert of theſe *Pioneers*, made a great Breach, Whereupon the Inhabitants ſurrender'd the Town, on condition of having their Lives and Goods preſerved; but the Gariſon retired to the Caſtle, which being very ſtrong, held out, and not likely to be taken by Aſſault, they were forced to do it by Mineing; which ſucceeded ſo well, that after it had held out near Eleven Weeks, the Miners were at laſt got under the *Baſe-Court*, but [1.] could not undermine the *Great Tower* or *Dungeon*, becauſe it ſtood upou a Rock. When the Governor perceived the Caſtle was thus undermined, and the Walls only ſupported by Props, he deſired a Parly; where he offer'd to ſurrender the Place, provided he and his Men might march out with their Arms and Horſes; Which being at length granted by the Earl, the Place was ſurrender'd accordingly; and thus the ſtrong Town and Caſtle of *la Reole* was again reduced to the *Engliſh* Obedience, after it had been in Poſſeſſion of the *French* above Twenty Years; when it was taken by Count *Charles* of *Valois*, Father to the preſent K. *Philip*.

[5.] Id. ib. c. 110. He then beſieges *la Reole*, which is alſo ſurrender'd.

[1.] Id. c. 112. The Gariſon retires to the Caſtle, which is alſo yielded on reaſonable Conditions.

[2.] After the Earl of *Derby* had reſted himſelf and his Men, ſome few days at this Place, and given Orders for the Repair of the Breaches; he marched on to *Montpezas*, which not being very well mann'd, the Caſtle was ſoon taken by Aſſault, tho' many *Engliſh* Archers were there ſlain. Here the Earl leaving a ſmall Gariſon, went on to a ſtrong Town called *Maulrou*, which he not being able to take by Storm, compaſſed with this Stratagem; *viz.* The Earl ſeemed to raiſe the Siege, and left a Party in the Rear of his Army, under the Command of the Earl of *Oxford*, as it were, lying behind to entice the Beſieged to Sally out upon them; but had already order'd Sir *Walter Manny* with a ſtrong Detachment, to lie in Ambuſh not far from the Town, in a Vally among the *Olive-Trees* and *Vineyards*. So upon the Earl's marching off, the Townſmen ſeeing ſome of his Men lag behind, ſallied out upon them; who flying on purpoſe till they were paſt the Place of the Ambuſcade, they turned again upon the Perſuers with great Fury: And at the ſame time Sir *Walter Manny*, with his Men, ſallied out from among the *Vines* upon their Backs; and ſome of the ſame Party, with thoſe that lay there, ran ſtrait into the Town, where finding the Gates open againſt the Return of their Companions, they ſurprized them, and kept their Poſt until the coming up of the reſt,

[2.] Id. c. 113. The Earl goes on, and takes divers other Towns and Caſtles.

And particularly *Maulrou*, by Stratagem.

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who had now diſpatched or taken Priſoners all that had ſallied out upon them: Whereupon the Town preſently yielded to the Earl of *Derby*, who generouſly preſerved it from being plunder'd. Thus was this ſtrong Place won by much the ſame Stratagem, as we find in *Scripture* the City of *Ai* was taken by *Joſhua*.

[2.] Id. c. 113, 114.
He takes in other Places, and comes before *Angouleſme* which the Citizens promiſe, if not relieved by ſuch a time.

[2.] From thence he marched to *Ville-Franche*, which together with the Caſtle was taken by Aſſault. Then having poſſeſſed himſelf of *Miramont*, and another Town called *Thonnins*, and the Caſtle of *Damoſſen* by Surrender, he came before the Great City of *Angouleſme*, and vowed he would not ſtir from thence, until he had it yielded to him: Whereupon the Citizens being terrified with his late Succeſs, deſired a Month's Reſpite, within which time if they were not ſuccour'd by the King of *France*, with a Force ſufficient, to keep the Field, they then engaged to Surrender the Town to him, and for the Performance of this, they ſent Four and Twenty of their Principal Burgeſſes, Hoſtages to *Bourdeaux*.

[3.] Id. ib.
He beſieges *Blaye* without any Succeſs.

Upon [3.] this Compoſition, the Earl raiſed the Siege, and marched to *Blaves*, or *Blaye*, where was a ſtrong Gariſon held by two valiant Commanders; who, upon the Earl's Summons, anſwered, *They would yield to no man.* Wherefore he laid a cloſe Siege to the Place; which he not being able to take by Aſſault, reſolved to do it by Famine: And whilſt he blocked up the Town, ſent a Detachment to take in ſome Neighbouring Places of leſs Conſequence, ſuch as *Mortaigne* in *Xantoigne*, near the Sea-ſide; where his Forces being repulſed, as well as at ſome others, they return'd to the Camp before *Blaye*, which ſtill held out. But by this time the Month being expired, the Earl of *Derby* remembring his Agreement with the City of *Angouleſme*, ſent thither his two Mareſchals, to whom the Citizens willingly ſurrender'd, and ſwore Allegiance to the King of *England*; whereupon their Hoſtages were reſtored, and the City indemnified. Then the Earl having appointed for Governor thereof the Lord *Norwich*, a valiant Commander, Winter now being far advanced, and ſeeing the ſtout Reſiſtance at *Blaye*, and the ſmall Importance of the Place, the Earl reſolved to ſpare his Men for better Service, and to raiſe the Siege, till a more commodious Seaſon: So he diſlodged, and repaſſing the River *Garrone*, went back to *Bourdeaux*, where he diſtributed his Men into Winter-Quarters. And thus [4.] the Earl of *Derby* having recovered moſt of the Places that had been taken from the Crown of *England*, kept them in Poſſeſſion till the Beginning of the next Year; when *John* Duke of *Normandy* marching with a Great *Army* into thoſe Parts, recovered moſt of them again, as you will find hereafter. And indeed he had endeavour'd it this *Autumn*, could he have preſently raiſed a Force ſufficient to oppoſe the Earl of *Derby*, then in the full Career of Succeſs. For King *Philip* had before ſent his Son, Duke *John*, with a Conſiderable Force, to put a ſtop to the Earl of *Derby*; but when he came near the Confines of *Gaſcoign*, he heard ſuch ſtrange Reports of the great Strength of the *Engliſh*, that he retired without doing any thing; at which the King his Father was very much diſpleaſed.

But *Angouleſme* is ſurrender'd to him.

The Earl returns to *Bourdeaux*, & there winters.

[4.] Gaguin. Villani. l. 12. c. 46.

[5] *Froiſſ*. c. 116.
The Ruin of *Jacob Van Arteſeld*, and on what account.

But in the mean while, the King's *Affairs* in *Flanders* did not proceed ſo much to his *Advantage* as they had done in *France*: For there happened a Memorable *Accident* which for ſome time put a ſtop to His Deſigns in thoſe Parts. It fell out thus: [5.] *Jac. Van Arteſeld* (whom we have ſo often mentioned) having now form'd a Project (for the raiſing of his Family, and the ſecuring his Intereſt in *Gaunt*) utterly to diſinherit the Earl of *Flanders* of that Country, and to put the Government of it into the hands of the King of *England*, upon Condition He would beſtow it upon Prince *Edward* His Son, with the Title of Duke; and the King being made acquainted with it, ſo far aſſured Himſelf of Succeſs, that leaving His Son the Lord *Lionel* Lieutenant of the Kingdom in His abſence, He took Shipping at *Sandwich* about *Midſummer*, accompany'd by His Son the Prince, and the Earl of *Warwick*, with divers other Lords, and paſſing over to *Sluice*, lay at Anchor in the Harbor, and there kept Open Houſe on Board, many of His Friends of *Flanders* coming thither to viſit and pay their Reſpects to Him; where having one day entertain'd the Conſuls of moſt of the Chief Towns in *Flanders*, [1.] *Jacob Van Artefeld* (as was before agreed) made them a Plauſible Speech, 'extolling the King of *England*'s Power, either to 'protect his Friends, or puniſh his Enemies; he likewiſe ſet forth the 'great Good Will which He had all along expreſs'd to His Allies of the '*Lower Germany*, and that the Prince of *Wales*, His Son, would no way 'fall ſhort of his Father's Vertues, but rather promiſed, if God gave 'him Life, to equal all His Noble Qualities; but as for their own Lord '*Lewis*, he was unmindful of the Welfare of his People, had confederated with *Philip* their Mortal Enemy, and had himſelf made War 'againſt them, and done unto them many great Injuries; wherefore 'unleſs they judged it fit to requite their Well-willers with Neglect, and 'to yield their Enemies all Service and Friendſhip, he muſt needs adviſe them, either to make the Earl of *Flanders* do his *Homage* unto King '*Edward*, to whom, as to the Rightful King of *France*, 'twas only due; 'or if through his Obſtinacy, they could not prevail with him herein, then wholly to caſt off the hateful Yoke of a Tyrannical and ſtubborn Lord, and ſubmit to the Mild and Equal Government of King '*Edward* and His Son, who would advance the Earldom of *Flanders* into a Dukedom, and make them flouriſh above all other People in 'Trade and Proſperity.

K. *Edward* goes over to *Flanders*, on hopes of making His Son, the Prince, Earl thereof, which *Jacob* does all he can to promote.

[1.] *Mezeray, ad hunc Ann.*

His Speech to the Conſuls of the chief *Towns* on the K's behalf.

This [2.] Speech was ſo far from being well receiv'd by the Conſuls there preſent, that they inwardly reſented the Propoſal; yet not daring to give a poſitive Denyal, they adjourned the further Debate for the preſent, by returning in general, That the *Matter* propoſed to them being of very great importance, they could ſay nothing to it at preſent, before they had propoſed it to their reſpective Cities and Towns, and if the Major and Wiſer part would agree, they ſhould do ſo too, and ſo promiſed within a Month's time to come again to His Majeſty with their final *Anſwer*. Then the King and *Jacob* urged them to make a more ſpeedy Return, but when they could obtain no other Reply from them, they were diſmiſſed; but *Jacob* ſtaid behind with the King, ſtill making Him believe that he would bring this Deſign to a good Effect; but he was deceived, and the King too, who now found He had gone too far already in this Affair, and was afraid of the Succeſs, eſpecially leſt His Friend ſhould ſuffer for his Kindneſs; [3.] wherefore He offered him a Guard of 500 *Welſhmen*, commanded by Sir *John Matravers*; which tho' accepted by *Jacob Van Artefeld*, becauſe he feared one *Gerard Deniſe*, Dean of the Weavers; yet he was ſo ſecure, that having brought the Citizens of *Bruges* and *Ypres* to his Opinion, he return'd

[2.] *Froiſſ. ib.*

His Speech is not well received by them.

The King being afraid of the Succeſs, offers *Jacob* a Guard.

[3.] *Jac. Meyer, Chron. Fland.*

He returns to *Gaunt* with not half his Guard whereupon his Enemies cabal againſt him.

turn'd back to *Gaunt* with not half his Guard to attend him; but before he came thither, the Council of the Town, who had been with King *Edward*, had not fail'd to repreſent the *Contents* of *Jacob*'s Speech to the Citizens ſufficiently to his diſadvantage: Beſides which, his Enemies alſo gave out, That he had for divers Years converted the whole Revenues of the Province to his own Uſe, and had amaſſed together a great Treaſure in order to be tranſported for *England*, where he intended to make his Settlement.

And raiſe the *Mob* upon him.

He endeavours to eſcape to *Church*, but is kill'd before he could get out.

In ſhort, theſe *Reports* (whether true or falſe) ſo far incenſed the Populacy againſt him, that riſing up the ſame Day in a Body, they aſſaulted his Houſe, and had immediately broke into it, had it not been defended by his Guard; but when *Jacob* ſaw the whole Town was in a manner drawn thither, he came to a Window, and from thence made them a Pathetical Speech, excuſing himſelf, and utterly denying whatever was laid to his Charge; but when he ſaw that nothing would pacifie them, but that he muſt immediately come down and deliver himſelf into their hands, he went from the Window, and thought to make his eſcape by a Back-door, and take Sanctuary in a Church adjoining to his Houſe; but before he could do ſo, the Rabble was already broke into it, and one of them meeting him, (whoſe Father he had cauſed to be hanged) clove his Head with an Ax, ſo that he fell down dead in the place.

Ten of his chief Adherents periſh with him.

This was the Fate of *Jacob Van Artefeld*, who by his Cunning Boldneſs, and fair ſmooth *Tongue*, had for near ſeven Years bore the chief Sway in *Flanders*; and by his Unfortunate End ſhews the unſtable Condition of thoſe Popular Men, who owing their Riſe to the Favour of the Common People, have no ſurer Foundation than that to depend upon: For the Many-headed Beaſt, the *Multitude*, as they are often eaſily gain'd by a few Plauſible Speeches or Actions, ſo they are as eaſily loſt by Feigned Suggeſtions, or Falſe Surmiſes. Nor did he periſh alone, for ten of the Principal Perſons of his Adherents and Council (among whom were a Nephew and Brother of his) were murthered at the ſame time.

[3.] Id. ib. K. *Edward* is highly incenſed at the News of his Death, and returns into *England*.

[3.] King *Edward*, who ſtill lay at *Sluiſe*, expecting an Anſwer from the *Flemiſh* Deputies, upon the News of this Murther, immediately return'd for *England*, vowing a ſevere Revenge upon thoſe who had any hand in this Action: And indeed ſeveral of the Chief *Towns* in *Flanders* were ſo ſenſible of the King's Diſpleaſure, that they reſolved to ſend *Deputies* to appeaſe Him; and not long after thoſe of *Bruges*, *Ypres*, *Courtray*, &c. ſent to the King, deſiring His ſafe Conduct, to come over and excuſe themſelves about that *Matter*, which He yielded to when His *Fit of Paſſion* was over.

Several *Deputies* from the chief Towns in *Flanders* come over to excuſe themſelves, and appeaſe His Diſpleaſure.

Then about *Michaelmaſs* certain *Deputies* of the beſt Note came from all the Chief *Towns* of *Flanders* (except *Gaunt*) into *England*, and after ſome time they were introduced into the King's Preſence at *Weſtminſter*, where they humbly excuſed themſelves of being any way acceſſary to the Death of *Jacob Van Artefeld*, and ſwore ſolemnly, that they knew nothing of it till it was done; and that if they had, he was the Man whom to the beſt of their Powers they would have defended, and that they were all extremely concern'd for His Loſs: They added further, That the *Gauntois* themſelves, who had done this Barbarous Act, ſhould make ſatisfaction for it. And they told the King and

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and His Council, That although he was dead, yet the King of *England* was not at all ſunk in the Love and Fidelity of the Good People of *Flanders*, as He ſhould find in all things, except what pertain'd to the Inheritance of that Earldom; which they ſaid, The *Flemings* were reſolved by no means to preſume to diſpoſe of from the Right Heirs. Theſe and the like Proteſtations ſomewhat pacify'd the King's Diſpleaſure, ſo that ſoon after, the League between *England* and *Flanders* was renew'd, and the Death of *Van Artefeld* quite forgotten.

They promiſe him all Fidelity except the diſinheriting their Earl; whereupon the *League* is again renew'd with them.

But before we quit this Subject, I cannot but obſerve, that it was one of the Raſheſt and moſt Inconſiderate Actions of this King's Reign, to believe the Falſe Aſſurances of one Single Man, concerning His Son's being declar'd Earl of *Flanders*, ſo far, as to make a Voyage thither on purpoſe, before He was aſſured of the Reſolutions of the chief Cities and Towns of that Countrey.

[4.]Nor was this the only Misfortune K. *Edw.* receiv'd, for not long after, *John* Earl of *Haynault*, &c. the King's Nephew, having been victorious this Summer over the City of *Utrech*, and being reſolved to carry on his Succeſs, ſail'd from *Dort* about the end of *September*, with a great Fleet and Army to reduce the Rebellious *Friſons* to their Obedience; but landing too precipitately near *Staverin*, he was ſet upon by them, before the reſt of his Men could come in to his Aſſiſtance, and being unknown, was there unfortunately ſlain about the beginning of *October*, together with his Nephew *William* Marqueſs of *Juliers*, a Valiant Young Prince, and a great Friend to King *Edward*.

[4] Id. c. 117. The Unfortunate End of *John* Earl of *Haynault*.

The [5.] Lord *John* of *Haynault*, Uncle to the Earl, was not then with him, but being tranſported with Rage at the News, he would preſently have gone away to revenge his Death, had he not been hindered by his Servants, who refuſed to obey him, and ſo carry'd him back againſt his Will: But not long after, this Lord was perſuaded by one of his chief Counſellors to leave K. *Edward*, and go over to the K. of *France*'s Intereſt, upon a Suggeſtion, that K. *Edward* would not now continue to pay him the Penſions which he had hitherto receiv'd out of *England*; which the *French* King hearing of, ſent *Envoys* to treat with him, and coming to an Agreement, He made him one of His Chief Council, and alſo beſtow'd upon him as much, or more Revenues in *France*, than he had ever enjoy'd in *England*.

[5.] Id. ib. c. 118. The Ld *John* his Uncle would have gone to revenge his Death, but was hindered by his Servants, ſome of whom perſwade him over to the K. of *France*'s Intereſt, who makes him one of His chief Counſellors.

[1.] But to make ſome amends for theſe Loſſes, not long before the Lord *Godfrey de Harcourt* (Brother to the Earl of that Name) came over to K. *Edward*; he had been once as intimate with K. *Philip* of *France* as any Lord of His Realm, but upon occaſion of a Quarrel between his Brother and a Martial of *France* (which was fomented by Partakers on both ſides) he ſo greatly diſpleaſed K. *Philip*, that could He have got him into His Hands, perhaps he might have found no better Uſage than the Lord *Cliſſon*, and the reſt abovementioned; but he receiving timely notice from his Friends, withdrew into *Brabant* to the Duke his Couſin, by whom (when all his Lands were ſeized on by K. *Philip*) he was adviſed to go into *England*, and profer his Service to the King, which was graciouſly received; and he made uſe of him in his following Wars, to the great prejudice of *France*, as you will find hereafter.

[1.] Ib. c. 115. The Lord *Godfrey de Harcourt* falls out with K. *Philip*, and on what occaſion.

The Ld *Harcourt* withdraws into *Brabant*, and from thence goes over into *England*.

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The Earl of *Bretagne* being deliver'd out of Priſon goes over to K. *Ed.* to ſollicit His further aſſiſtance, who thereupon ſends him back with conſiderable Forces under the command of the Earl of *Northampton.*

[2.] *H. K.* col. 2585.

The Earl takes *Dinant*, but being ſeized with a Fevour, ſhortly after deceaſes.

I had omitted to mention, that about the latter end of the laſt Year *John* Earl of *Montfort* (according to the *Articles* of the late *Truce*) was delivered out of Priſon at *Paris*, yet upon Condition that he ſhould not go into *Bretagne*, nor intermeddle with the Affairs of that Countrey; notwithſtanding which, not long after he had thus obtain'd ſuch a Conditional Liberty, he went over into *England* to ſolicit K. *Edward*'s further Aſſiſtance on his behalf; who about Midſummer this Year, ſent over with him a conſiderable Force under the command of *William Bohun*, Earl of *Northampton*, with whom were join'd *John* Earl of *Oxford*, *Hugh* Lord *Spencer*, and divers other Noblemen; each of them carrying over a great many Men at Arms, and Archers. With theſe Forces *Count Montfort* took and ſacked *Dinant*, and laid ſiege to *Quimperle*, where being ſuddenly taken with a Burning Fevour, he died about the end of *September* at *Quimpercocorentin*, leaving his Pretenſions to the conduct of his Gallant Lady, and his Young Son *John*; who many years after having ſlain *Charles* of *Blois* in Battel, obtained, together with the Dukedom, the Noble Sir-name of *Valiant*: However, after the Death of this Earl, the greateſt part of *Bretagne* was for ſome time in the hands of *Charles* of *Blois*; for now moſt of the *Engliſh* Soldiers were gone into *Gaſcoigne* to ſerve the Earl of *Derby*, except Sir *Thomas Dagworth*, and thoſe who before were formerly ſent to the aſſiſtance of the *Counteſs* of *Montfort*.

[3.] *Tho. de la More* cited by *Stow.* p.239. *Ad Ann.* 1344

The Earl of *Northampton* fights Count *Charles* of *Blois*, and puts his Forces to the rout near *Morlaix.*

Count *Charles* eſcapes by flight, the *Engliſh* obtain a Bloody Victory.

The Earl marches forward, and reduces the ſtrong Caſtle of *Roche Derien.*

[4.] *Hiſt. de Bret. L.v.* c 23.

Yet the *Engliſh* Army did not break up 'till Winter; [3.] for the Earl of *Northampton* hearing that the Lord *Charles* of *Blois* preſuming on the Death of *John* of *Montfort*, was come to *Morlaix* with a great Power, intending to over-run the Countrey; he marched with all his Forces to meet him, and in the Campaign-ground near *Morlaix*, the two Armies of *Count Charles*, and the *Earl* of *Northampton* drew up, and joined Battel with equal Courage; and at this time it is ſaid, that the two Generals encounter'd each other in a Single Combat, which was renewed no leſs than three times that Day, with *Sword* and *Target*, after the manner of that Age; until Count *Charles* ſeeing his Men begin to fly, was obliged alſo to ſet Spurs to his *Horſe*, and abandon the Field, leaving the Victory to the *Engliſh*; yet they paid dearly for it, having loſt almoſt as many in the *Fight* as the Enemy: But this Days Succeſs proved of more importance, for the Earl of *Northampton* having now no more Enemies to obſtruct his Progreſs, [4.] he preſently marched on, and laid ſiege to a ſtrong Fortreſs in *Bretagne*, called *La Roche-Derien*, which was ſurrendered upon Condition, That the Gariſon and Inhabitants ſhould march out with their Goods and Baggage: But the next Year it was retaken by the contrary Party, 'till *Thomas Dagworth* took it from them again, as will be further ſhewn hereafter. When the Earl of *Northampton* and the other Lords that were with him had ſetled the Affairs in *Bretagne*, and had put the Places they had won into the hands of Experienced Commanders, with ſufficient Gariſons, Winter being now pretty well advanced, they returned into *England*; of the the Affairs of which it is time to give you ſome Account.

[5.] *T. W.*

* *Charleolum* in Lib. *ſed falſo pro* Carleronum.

This *Autumn* [5.] the *Scots* by the Inſtigation of the *French* King, notwithſtanding the late *Truce*, enter'd *England* by *Weſtmorland*, and paſſing over the *River Vlles*, burnt *Penreth* and * *Carleton*, and many other little *Towns* and *Villages* thereabouts; but *John Kirkeby*, Bp of *Carliſle*, The *Scots* enter *Weſtmerland* and burn ſeveral *Towns*.

liſle, with the Lord *Thomas Lucy*, and Sir *Robert Ogle*, having muſtered up a ſmall Body of Choſen Men, tho they were not ſtrong enough to encounter them in the Field, they perſued them at a diſtance in their March, and ſo terrify'd them in the Night with Falſe Alarms, by the Noiſe of Horns and Trumpets, that the *Scots* could neither take reſt for fear, nor ſend out their Foragers to ſeek Proviſions. And now the Lords *Piercy* and *Nevill* on the one part, and the Men of *Lancaſhire* on the other (being come up) had reſolved, together with the Biſhop and thoſe of *Carliſle*, to fall upon the *Scots*, who would then be in a manner quite encloſed by the *Engliſh*: When Sir *Alexander Straghan*, one of their Chief Commanders, being compelled through neceſſity to ſeek ſome Forage for the *Scotiſh* Army, and going forth for that purpoſe with ſome of their choiſeſt Troops, was met with by the Bp of *Carliſle* the Ld *Lucy*, and Sir *Robert Ogle*; which laſt meeting with Sir *Alexander* himſelf, and ſpurring his Horſe againſt him, run him through the Body with a *Spear*, tho the Aſſailant himſelf could not eſcape being dangerouſly wounded in the Side: In this Rencounter the Martial Bp alſo was diſmounted, and in danger of being made a Priſoner; but having valiantly recover'd his Saddle, he gave ſuch freſh Courage to his Men, that moſt of the *Scots* of that Party were either ſlain or taken; whereupon the reſt of their Army being inform'd of the two other ſtrong Detachments of *Engliſh* that were coming upon them, and that (beſides their late Loſs) they wanted Victuals, they thereupon fled away, without getting any thing but the Ill Reputation of *Truce-Breakers*.

The *Scots* under Sir *Alexander* are encounter'd by the Bp of *Carliſle*, &c. where Sir *Alex.* is kill'd and his Forces routed.

Whereupon the reſt of their Army fly into *Scotland*.

This Loſs diſpoſed King *David* of *Scotland* to admit of a freſh *Truce*, which preſently enſued hereupon; and the Lord *Lucy*, with the Biſhop aforeſaid, and Others, were by K. *Edward* joined in *Commiſſion* to ſee the ſame duly obſerved: The ſaid Lord being likewiſe conſtituted Sheriff of *Cumberland*, and Governor of the Caſtle at *Carliſle*.

King *David* makes a new Truce with K. *Edward*.

I have nothing more to add concerning the *Affairs* of *England*; but that the King was all this Winter buſied in making great Preparations by Sea and Land for a Voyage into *Gaſcoigne*, the next Spring, in order to aſſiſt the Earl of *Derby*, and to repel the Duke of *Normandy* from thence, who was daily expected in thoſe Parts with a great Army; of which we ſhall ſpeak further under the next Year. In the mean while, we ſhall conclude this with an Account of the Deceaſe of ſome Great and Remarkable Perſons both in Church and State. [5] The firſt of theſe, was, *Henry Plantagenet* Earl of *Lancaſter*, commonly called, (from his wry Neck) *Au tort Col*; a Prince of great Probity and Honour. He died not long after his Son the Earl of *Derby*'s Departure beyond Sea, and being buried at *Leiceſter*, the King and both the Queens were preſent at his Funeral, to ſhew their Reſpect to ſo near a Relation.

Who makes great Preparations for a Voyage into *Gaſcoigne*.

[5.] *H. K.* Col. 2585.

The Deceaſe of *Henry* E. of *Lancaſter*.

Toward the End of *April* alſo, this Year, [1.] deceaſed that worthy Prelate, *Richard d'Angerville*, Biſhop of *Durham*, who had been the King's *Tutor*. He was Learned above the Age in which he lived; and what time he could ſpare from the weighty *Affairs* of State, he either ſpent in Prayer, or elſe in Conference with his Chaplains, or other Learned Men that came to viſit him; and what remain'd, he beſtow'd upon Books, with which his Study was ſo well furniſhed, that

[1.] *Godwin de Preſul. Angl.* p. 662.

As alſo of *Richard d' Angerville* Biſhop of *Durham*, with his Character.

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that it was thought he had more than all the Biſhops of *England* beſides. I mention this Man as an Inſtance, that even in this Martial Age, there were ſome of the greateſt of the Clergy that had a paſſionate Love for Letters.

[2.] Id. p. 233. As alſo of *Adam d' Orleton* Bp of *Wincheſter*.

And in *July* died another Prelate, tho' of a much different Character; *viz.* [2.] *Adam de Orleton*, Biſhop of *Wincheſter*: Who, whilſt he was Biſhop of *Hereford*, (as we have already mention'd in this Reign) had a great hand in the Murther of *Edward* the *Second*; yet in the Beginning of this King's Reign, having been tranſlated from *Hereford* to *Worceſter*, he was at the Deſire of the *French* King, now tranſlated by the Pope from that See to *Wincheſter*: Whereat K. *Edward* was ſo diſpleaſed, that He ſeiſed his Temporalties for a while; and we find him the Year following obliged to make uſe of all his Cunning, to anſwer an [3.] *Appeal*, that was brought againſt him, (tho' not in the King's Name) to prove him guilty of *Felony*, &c. Conſiſting of theſe following *Articles*.

[3.] *Vid. ad finem decem Scriptor.* Col. 2763 An Account of the *Appeal* brought againſt him for divers Matters done in the latter part of *Ed* II Reign.

'That he commanded, and moſt ſacrilegiouſly cauſed violent Hands to be laid on the King, Chancellor, *Robert Baldock* Biſhop of *Norwich*, &c.

Item, 'That in the City of *Oxford*, in the Month of *November*, he falſly and maliciouſly preached and taught, and more than once aſſerted, *That the Lord* Edward, *of Famous Memory, was a Tyrant*, &c.

Item, 'That by his falſe and ſubtle Inſinuations, he ſtruck ſuch a Fear into the Queen-Mother, then at *Wallingford*, that She durſt not go to Her Huſband, the aforeſaid King, by occaſion whereof the Uſe of Matrimony between them was render'd ineffectual.

His Anſwer to it, upon which he is acquitted.

All which he anſwered, if not truly, yet ſo plauſibly, that he concludes his Accuſer guilty of Perjury, in Swearing falſly to the *Articles* above-mentioned. But who this *Appellant* was, we do not find; only it is certain, that this *Appeal* came to nothing; as did alſo a former Accuſation of *Treaſon*, brought againſt him in Parliament, in the late King's Reign, when the Archbiſhop and Biſhops took him from the *Lay-Tribunal*, as hath been already related. But let his Crimes have been never ſo Black, it is certain, he eſcaped all other Puniſhments in this Life, except being blind ſeveral Years before his Death: So that (if guilty) he had a ſufficient time to repent, as I hope he did.

He is ſucceeded by *W. Edington* who was firſt Prelate of the Garter.

I have no more to ſay concerning *Eccleſiaſtical Affairs*, only that he was ſucceeded by *William Edington*, a Chaplain and Favourite of King *Edward*: and when the *Order of the Garter* was inſtituted, not long after, he became the firſt Prelate of it; which Honour continues to his Succeſſors down to this day.

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An Account of the Duke of *Normandy*'s Expedition into *Gaſcoigne*.

[4.] Froiſſ. c. 119.

He is join'd by the Duke of *Burgundy* & ſeveral other Noblemsn of *France*.

This Year begins with the *Duke* of *Normandy*'s long-expected Expedition into *Gaſcoigne*; for which he had, by the Order of the King his Father, been making great Preparations ever ſince the laſt *Autumn*, and great part of this Winter, when finding himſelf not ſtrong enough to encounter the *Engliſh*, he had gone home to reinforce his Army, as hath been already related; and a little before *Chriſtmaſs*, there had come to him, according to [4.] K. *Philip*'s Orders, the Duke of *Burgundy*, with the Earls of *Artois*, *Boloigne*, and *Bourbon*, and many other Earls and Noblemen of *France*; who with the Recruits that were taken in by the way, made up an Army of near a Hundred Thouſand

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Men. With which, in the Beginning of *January*, the Duke of *Normandy* took his March from *Tholouſe*, to that Part of the Country which the *Engliſh* had conquer'd the Year before. Where the firſt thing that ſtood in their way, was, the Caſtle of *Miramount*, which they took by Aſſault; and marching alſo to *Ville-Franche*, did the like to that Place.

With which he takes in ſeveral Places.

When [5.] the Earl of *Lancaſter* heard that the *French* had enter'd the *Engliſh* Territories, not expecting the Duke of *Normandy* would have taken the Field ſo ſoon, and he not having Forces ſufficient to reſiſt ſo great an Army, did all that lay in his Power to act defenſively, and to ſecure what he had won, by ordering the Earl of *Pembroke*, and Sir *Walter Manny*, with ſeveral other Knights and Perſons of Quality, to the number of Forty, to take along with them Three Hundred Men at Arms, and a proportionable Number of Archers, and with all ſpeed to go to the Reinforcement of the Gariſon in the Caſtle of *Aiguillon*, to maintain that Fortreſs: For tho' the Duke of *Normandy* had paſſed by without attempting it, yet he would not have it loſt by any means. Theſe went thither accordingly, and there found an Hundred and Twenty Luſty Soldiers, whom the Earl had left there the laſt Year. Theſe being all got together, immediately applied themſelves to fetch in Proviſions from all Parts, that ſo they might be able to hold out a long Siege, as you will find they did ſome time after.

[5.] Id. ib. The Earl of *Lancaſter* is fain, for want of ſufficient Forces, only to be upon the Defenſive, and ſends a ſtrong Gariſon to the Caſtle of *Aiguillon*.

In the [1.] mean while, the Duke of *Normandy* laid cloſe Siege to the City of *Angouleſme*; which, notwithſtanding the Weakneſs of the Gariſon, and Largeneſs of the Place, made a Defence beyond Expectation; until at laſt finding their Proviſions begin to fail, and that there was no holding out much longer, the Lord* *Norwich*, the Governor, had no way left to quit the Place with Safety, but by making uſe of this Stratagem. The day before our *Lady's Purification*, he deſired a Parly with the Duke in Perſon; who, at his Requeſt, coming up near the Walls, the Governor told him, he had only one Favour to beg of him, which was for the Honour of the *Bleſſed Virgin*, That he would grant him a Truce for the next day. The Duke deſiring to know, whether he would then ſurrender the City, or not? He reply'd, as to that he was not yet reſolved; but that this Favour would render him much more inclinable to do it. Upon which, the Generous Prince granted his Requeſt. But the Crafty Governor laying hold of this Opportunity, order'd his Men to truſs up their Baggage, and be ready to march with him the next morning betimes; which they did accordingly. But as they came to the *French* Out-Guards, they were juſt going to fall upon them, when the Lord *John* of *Norwich* advancing at the Head of his Men, ſaid thus: 'Pray, 'Gentlemen, uſe no Violence, for we have had a Truce granted laſt 'Night by the Duke himſelf, for this Day, as you all know; and 'during that time, we may go where we pleaſe. The Duke being acquainted herewith, anſwered, *Let them go whither they will, for tho' they have over-reached me, yet I will not break my Word*: Whereupon they had leave to march thro' the Army to the Caſtle of *Aiguillon*, where they reinforced that Gariſon, which was very ſtrong before.

[1.] Id. ib. The Duke of *Normandy* lays Siege to *Angouleſme*.

* *Froiſſart* calls him Sir *John Norwich*, but erroneouſly.

Whereupon the Governor obtains a *Truce* till the next day, with its effect.

The Duke refuſes to hinder them, & why.

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The great Honour of Duke *John* in this Action.

[2] *Mezeray ad Ann.* 1364.

I am the more particular in relating this Action, becauſe ſuch Inſtances of the *French* Honour in this kind, are not very Common, either in our own, or former Ages. But of this Prince it is peculiarly noted, [2.] that when he was King, he was Author of that Noble Saying, *That if Faith and Truth were baniſhed from Mankind, they ought to be found in the Mouths of Kings and Princes.* And, I ſuppoſe, it was upon the Governor's knowing the Duke's Temper, that he now ran this Riſque; tho' the worſt that could befal them, was, to have been made Priſoners of War; which might have happened, had they held out a day or two longer.

[3.] Id. ib.

The Duke enters *Angouleſme* and marching from thence, takes in ſeveral *Towns* & *Caſtles.*

[3.] Then the Duke, after the Departure of the *Engliſh*, marched quietly into the City, and having left ſufficient Forces to keep it, went back, and laid Siege to the Caſtle of *Damaſſon*, Which being taken by Aſſault, they put the Gariſon to the Sword. Then paſſing the River *Garrone*, he came before *Tonneins*; which, after a ſhort Siege, ſurrender'd upon Conditions. From thence he went to *Port St. Mary*, lying on the ſame River; where the *Engliſh* being about Two Hundred in Number, endeavoured to defend the Place, but were all put to the Sword. When this was done, he march'd forward, and laid Siege to the Caſtle of *Aiguillon*, ſeated on the Confluence of the *Lort*, and *Garrone*.

[4] *Froiſſ.* c. 121. Villani l. 12. c. 60.

He beſieges the Caſtle of *Aiguillon*, which laſts ſeveral Months.

At [4.] this Place, the Duke having inveſted it with his whole Army, began a Formal Siege, which laſted ſeveral Months: For beſides the Natural Strength of it, there were in the Gariſon Four Hundred Lords and Gentlemen, and about Four Thouſand Men of all Sorts, moſt of whom were old experienced Soldiers. So that this Siege was one of the moſt remarkable in that Age; as well for the brisk Aſſaults of the *French*, as vigorous Sallies of the *Engliſh*, which they commonly made with great Advantage: But, ſince to relate all the Particulars of it would be tedious, and not very inſtructive to the Reader, I ſhall ſay no more, than that the *French* Aſſaulted the Place thrice a day for a Week together; ſo that after all the Efforts they could make by Engines of Battery, and other Warlike Machines, the Duke was at laſt forced to raiſe the Siege, to go and aſſiſt his Father, after the Battle of *Creſſy*, as you will find preſently; tho' at his Sitting down before it, he had made a Solemn Oath never to raiſe the Siege, till he had the Place in his Poſſeſſion.

And is at laſt forced to raiſe the Siege.

[5.] Ib.

The Duke of *Lancaſter* not being ſtrong enough to encounter the *French*, hinders them from Proviſions, and tires them out.

The [5.] Duke of *Lancaſter* was not idle in the mean time; for tho' he had not a ſufficient Army to raiſe the Siege, yet he had divers conſiderable Succeſſes over ſome Parties of the *French*, who were ſent to take in other Places, whom either he, or ſome of his Captains happened to meet with: Inſomuch that the Duke of *Normandy* was ſo pent in by the Earl and his Gariſons, that he durſt never ſend out any Parties for Forage, but in very conſiderable Numbers; whereby he was not without great Difficulties, to get in ſufficient Proviſions for the Army, for fear of the Earl of *Lancaſter*, who ſo well watched his Advantages, that the Beſiegers were at laſt quite tired out.

Upon the News of the Duke of *Normandy*'s Succeſs, the King prepares to go to *Gaſcoigne*.

But it is time now to return to the *Affairs* of *England*. King *Edward* having received full information from His Lieutenant the Earl of *Lancaſter*, of the *Duke* of *Normandy*'s Deſcent into *Guienne*, and of his Succeſs in thoſe Parts; He thereupon reſolved to go over in Perſon, to

defend

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defend His Territories, and reſcue ſo many Gallant Subjects who were cloſely beſieged in the Caſtle above-mentioned.

In order to this Great Expedition, the King held it neceſſary, firſt to ſettle and reform what was amiſs in His own Kingdom: And to this end, in *Lent*, [1]He held a Great Council of the Biſhops and Peers, at *Weſtminſter*; where, by their Advice, He took into His own Hands all the Profits, Revenues, and Emoluments, which the Cardinals of the *French Faction*, and other Foreign Clergymen, held within the Realm. For He thought it not reaſonable, that thoſe who favour'd the Pope, (a *Frenchman* by Birth) and the *French* King, ſhould enjoy any ſuch Promotion or Advantage in His Kingdom.

[1.] *Addit. Ad. de Muremuthe*, cited by *Hollingſhed.* Vol. 3 p 369.

The King holds a great Council, and what was done in it.

I ſuppoſe likewiſe, that therein it was * ordain'd, That all His Juſtices throughout His Dominions, ſhould renounce, and utterly forbear taking any Penſions, Fees, or any Sort of Gratuities, from any one; (which before they were wont to receive, both of Lords Spiritual and Temporal, and Others) that ſo their Hands being clear from all Corruption, Juſtice might be by them more uprightly and impartially adminiſtred. For this Worthy Prince then thought He might expect a Bleſſing upon His Cauſe, when He took care that His Subjects might have Righteous Judgments in His Courts: And then it was that that Form of Oath was drawn up for all Juſtices to take, tho' in our Printed Books of Statutes it is miſplaced in the *Eighteenth* Year of this Reign.

Id. ib.

* See this Ordinance printed in *Raſtal's Stat.* 15 *Edw.* but it is a miſtake, for by the Pat. Roll, of 20 *Ed.* 3. m. 12. dorſ. It appears to be made in the 20th of this King, and moſt likely in this Council.

The Form of the Oath for the King's Juſtices then appointed.

And in this Council, the King, to ſatisfie His Subjects, that had made great Complaints againſt the *Purveyors* for his Houſhold; who, under Colour of their Commiſſions, took up all manner of *Proviſions* without ready Money, or ever paying for them: Wherefore he now cauſed a ſtrict Enquiry to be made into their ſaid Miſdemeanors; and ſome of the moſt Notorious Offenders were hang'd, and others condemned to pay great Fines, whereby that Grievance was redreſſed, and others of the King's Officers were made at leaſt more Wary, if not more Honeſt for the future.

Id. ib.

He alſo remedies the *Abuſes* of the Purveyors for His Houſhold.

[2.] The King having thus quieted the Minds of His Subjects, He left His Son, the Lord *Lionel*, Lieutenant of the Kingdom during His Abſence, appointing the Archbiſhop of *Canterbury*, with an able Council, to aſſiſt him; [3.] and then taking His leave of the Queen, He went to *Southampton*, accompany'd by His Son the Prince of *Wales*, together with moſt of the chief Earls and Barons of *England*, beſides many Knights and Gentlemen of the beſt Quality, who were by their Tenures bound to attend Him, as did alſo a great many old Officers and Commanders; to all whom, a little before He went on board, He made a ſhort Speech, which was communicated to the whole Army; 'Therein ſetting forth His Title to the Crown of *France*, and the Juſtice of 'His Arms; deſiring them upon their landing to behave themſelves 'like Men, ſince He reſolved to ſend back His Fleet ſo ſoon as He ſhould 'arrive in *France*, but if any Man's Heart failed him, he might ſtay in '*England* with His good leave: To which they anſwered with one Conſent, That they were all ready to follow Him where He pleaſed, were it to Death it ſelf.

[2.] Id. ib.

The King makes His Son *Lionel* Lieutenant of the Kingdom, during His abſence.

[3.] *Froiſſ.* c. 121.

His Speech to his Officers and Soldiers before He went on board.

[4.] Then the King ordered His Forces, conſiſting of about Four thouſand Men at Arms, Ten thouſand Archers, and of *Welſh* Footmen Twelve thouſand, and Six thouſand *Iriſhmen*, to go on board His Fleet, which

[4.] Id. ib. *T. W. Ad hunc Ann.*

The K. goes on board with all His *Army*, and reſolves to land at *Bourdeaux* or *Bayonne*.

which conſiſted of above Two hundred Sail of Ships, beſides Tranſport-Veſſels, which might amount to about Eight hundred more.

[5.] *Mezeray ad hunc Ann.* The Ld *Harcourt* perſuades King *Edward* to land in *Normandy*, and for what Reaſon.

The King Himſelf, on the 4*th* of *July*, at His taking Shipping, reſolved to land at *Bayonne*, or *Bourdeaux*, in order to raiſe the Siege of *Aiguillon*; but God was pleaſed to order it otherwiſe, for on the 3*d* Day, when they were now very near the Coaſt of *France*, there aroſe a contrary Wind, which drove them back upon the Coaſt of *Cornwall*, but without any further damage, where they were forced to lay about ſix days at Anchor; during which time the King took a different reſolution; for [5] *Godfrey de Harecourt* abovementioned, (who attended Him in this Expedition, and was now much truſted by Him) made uſe of this Occaſion to perſuade Him from ſailing to *Gaſcoigne*, but rather to make for *Normandy*, as being more ſafe and honourable: And for His Encouragement he further remonſtrated to Him, that if He would land in that Countrey, which He very well knew (as having been a Conſiderable Man in it,) he would find an eaſie Shore for Him, ſince the Common People were wholly unwarlike; and as for the Noblemen and Gentlemen, they were with the Duke of *Normandy* in *Guienne*; beſides all which, He ſhould find many rich Towns unfortify'd, by whoſe Plunder, not only His Soldiers, but He Himſelf might be much the better, and deſired Him to put confidence in him as to this Matter, ſince none had more reaſon to underſtand it than himſelf.

[1.] *Froiſſ.* ib. Which is agreed to and thereupon He lands at *La Hogue*, and takes 30 *French* Veſſels.

[2.] *H. K.* col. 2585.

[3.] *Froiſſ.* c. 122. The K leaping aſhore, His Noſe guſhes out a bleeding, at which He is not diſcouraged.

[1] Theſe Remonſtrances and Perſuaſions ſeem'd ſo reaſonable to the King and the Great Men that were with Him, that He alter'd His firſt Reſolution, and order'd His Pilots to make all the Sail they could for *Normandy*, which Courſe the Wind immediately favouring, the King with all His Fleet arrived on the 11th of *July* at the Haven of *La Hogue* St. *Waſt*, (a Place ſo well known of late, that I need ſay no more of it); [2] in this Port the King found thirty great Ships and Gallies, which were every one taken; and then endeavouring firſt of all to land, He [3.] leap'd on the Shore with ſuch a violence, that by a ſudden straining, the Blood guſhed out of His Noſe; whereat His Lords diſcouraged at ſuch an ill-boding *Omen*, deſired Him to re-enter His Ship, and not to land that Day; but the King briskly reply'd, *That it was rather a Sign the Land deſired to have Him.*

This I mention, that you may obſerve the Vanity of thoſe Things they call Good or Evil *Omens*, ſince they bear a different Conſtruction, and alſo have a different Effect from what is commonly expected.

[4] *Chron MS.* in *Bib. Ben Col. Cantab.* The Ld *Harecourt* does *Homage* to the King for His Lands in *Normandy.*

[5] Id. ib. *Chron. Eveſ.* The K. knights the Prince and ſeveral other young Noblemen.

The [4] King being thus landed, the Lord *Godfrey de Harecourt* did his *Homage* to Him, profeſſing to hold his Lands and Poſſeſſions in *Normandy* of Him, as Rightful King of *France*. The ſame Day the King removed and encamped on a Hill near the Shore, from whence He made a Dreadful Appearance over all the Country: And here He preſently [5.] knighted His Eldeſt Son the Prince of *Wales* (then juſt Sixteen Years and a Month old); and together with him, ſeveral young Noblemen, as *William Montacute* Earl of *Salisbury*, *Roger* Lord *Mortimer*, and divers others.

So ſoon as the *French* King had received the News of *King Edward*'s being landed in *Normandy*, He was very much ſurprized, for He expected it would have been in *Gaſcoigne*; wherefore not having an Army then ready to march, all He could do at preſent, was, to ſend Orders to the Governors of *Caën* and other Places, to make as vigorous a defence as they could. And indeed *King Edward*'s landing there at this time proved very fortunate to *England*; for the *French* King had deſigned, ſo ſoon as *King Edward* ſhould have begun to invade His Territories in the *South* of *France*, to raiſe a great Army to be tranſported into *England*; and in order to this had got a great many Ships, and expected more from *Genoa* for that purpoſe, when *King Edward*'s arrival ſo near *Paris* quite fruſtrated thoſe Deſigns.

Upon the News of the K's landing K. *Philip* is very much ſurprized, and ſends orders to His Governors to make a vigorous defence.

The *King* [1.] having burnt the Town of *La Hogue*, order'd the Earl of *Huntington*, His Admiral, with part of the Fleet, and a hundred Men at Arms, and Four hundred Archers to cruiſe along the Sea-Coaſt, and to follow the Courſe of the Land Army; as for the reſt of this Navy, He had ſent it back into *England*: And His Land-Forces were divided into three Bodies, which took three ſeveral Routs, the *King* Himſelf marching in the midſt, whilſt that on the Right-hand towards the Sea, was led by the Earl of *Warwick*; and the Lord *Harecourt* commanded another Battalion on the Left-hand further into the Country, becauſe he beſt underſtood all the Ways and Avenues into it; theſe three Bodies amounting to Thirty thouſand Men, were order'd to meet every Night, and encamp together in one place: Thus they march'd forward burning and ſpoiling the Country as they went, until they came to * *Barfleur*, which was firſt plunder'd by the Soldiers, and then burnt by the Seamen, after the King's Departure; as they did likewiſe many great Ships in that Harbour; From thence the Earl of *Warwick* with his Party marched to *Cherburgh*, which He alſo took and plundered, excepting the Caſtle, which could not be then reduced, and thence return'd back on the Left-hand to *Valognes*, which they took, plunder'd, and ſet on fire: They did the ſame afterwards to *Monteburgh*, and all the Towns in thoſe Parts, from whence they got much Rich Plunder: Then they came to a conſiderable Town called *Carenton*, which tho' a ſtrong place, and well mann'd, yet the Townſmen againſt the Will of the Gariſon, ſurrender'd, upon Condition to have only their Lives ſav'd; but the Soldiers retiring to the Caſtle, within two Days after delivered it on Condition to march out with their Baggage.

[1.] Froiſſ. c. 122. The K. burns *La Hogue*, and marches from thence with His *Army* in three Battalions.

They take *Barfleur*, with ſeveral other Towns.

* In the printed *Copies* it is *Harfleur*, which is an Error.

[2.] Whilſt theſe things were perform'd by the Earl of *Warwick*'s Battalion along the Sea-Coaſt, that which was commanded by the Lord *Harecourt* made no leſs Devaſtations up in the Country, where as Marſhal of the Army, he marching often ſix or ſeven Leagues from the *King*, his Men found no Place able to reſiſt them; for the People being wholly unwarlike, fled away for fear, to *Caën* and other Neighbouring Places of ſtrength, leaving moſt of their Goods and Proviſions behind 'em, of which the Army found more than ſufficient, beſides a great deal of Rich Plunder.

[2.] Id. ib. The Lord *Harecourt* deſtroys the Inland Countrsie.

[3.] The Country being thus clear'd as far as the *North Point* of *Normandy*, the *King* marched *Eaſtward*, directly towards St. *Loo*, being the fartheſt Port of the *Lower-Normandy*; but when He was come to this Place, He found the Town was already taken by a Detachment which

[3.] Id. c. 123. The King marches to St. *Loo*, which is taken, and then burns ſeveral other Towns.

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[4] *Chron. MS.* in *Bib. Ben.* And then comes before *Caën*, which He ſummons to ſurrender, tho in vain, and the *Meſſenger* that brought it is impriſoned.

[5.] *Froiſſ.* ib. c. 124. The Conſtable of *France* making a ſally with the Townſmen of *Caen*, are ſhamefully put to flight.

The Earl of *Warwick* with the *Engliſh* under his command enter the Town with the Enemy.

which had been ſent thither before, and the Men were ſent Priſoners, on board the Fleet. From hence the *King* (having firſt burnt the Towns *Torigny*, *Cormolin*, *Fontenay*, and *Cheſne*) marched directly back again toward the Great City of *Caën*, and [4.] ſitting down before it, He ſent a Fryar to the Biſhop of *Bayëux*, and the Earl of *Ewe*, Conſtable of *France*, and the Earl of *Tankerville*, to exhort them to deliver up the City without Blood-ſhed; but inſtead of this the Biſhop ordered the Meſſenger to be put in Priſon, and tore the *King*'s Letter in pieces. The Conſtable's Reſolution at firſt was to act only on the Defenſive, but being encouraged by the Towns-men, who were very numerous, and made a ſhew of ſufficient [5.]Courage, he reſolved to ſally out upon the Enemy the next day, on which (being the *20th* of *July*) *King Edward* reſolved to make an Aſſault upon the City, when the Conſtable being follow'd by the Towns-men, and aſſiſted by the Gariſon, marched out to encounter the *Engliſh*, but when they ſaw the dreadful appearance of ſo many Armed Men, and tall Archers, who were ready to let fly, their Hearts began to fail them, and having ſcarce endured the firſt Brunt, for all that the Conſtable could ſay or do, they quite abandoned both him and their Honour, and fled with all the ſpeed they could toward the Town, the *Engliſh* eagerly following them at the Heels: Here it was that the *Archers* finding ſome reſiſtance at the Bridge, and the King fearing they might ſuffer by the *Frenchmen* at *Arms*, ſent the Earl of *Warwick* with more Men to aſſiſt the *Archers*, who ſo well acquitted himſelf, that he not only won the Gate of the Bridge, but beating down all that ſtood before him, entred the Town *Pall-Mall* together with the Enemy: When the Conſtable and the Earl of *Tankerville* ſaw how things went, curſing the Cowardize of the Towns-men, and their own Credulity, they betook themſelves to a Tower at the Bridge-foot, which they enter'd with certain Captains and Men of Quality.

[1.] *Villani* l. 12. c. 63. The *Town* is taken, and a great ſlaughter made of the *French*, whereupon the *Conſtable* and Earl of *Tankerville* yield themſelves Priſoners.

In the mean while the *Engliſh*, who had now poſſeſſed themſelves of the Town, were killing all they met, for as yet they gave no Quarter; and it happened very ill for the *French*, that the Tide in the River *Seyne* being now out, their Enemies could come in upon them either on Horſe-back or on Foot; ſo that there was a Cruel Slaughter made, no [1.] leſs than Five Thouſand being kill'd in this Action; whereupon the Conſtable and the Earl of *Tankerville* finding the Place they were in not tenable, reſolved to yield to Mercy; and eſpying an *Engliſh* Lord, one Sir *Thomas Holland*, whom they knew, marching down the Street, with five or ſix Knights in his Company, they called out to him, and coming down from the Tower, yielded themſelves his Priſoners. Then this Lord ſuppoſing the Town wholly maſtered, mounted his Horſe, and rode about the Streets, where he ſaved many Lives, and preſerved ſeveral young Ladies and Nuns from Violation; for now the Common Soldiers were grown outrageous, becauſe thoſe of the Town, who were got on the Tops of Houſes, flung down Tiles, Stones, &c. wherewith they broke their Skulls, and did much miſchief; which not only made them more cruel, but provoked alſo the King himſelf; who hearing at Night that above five hundred of his Men were killed, or grievouſly maim'd by that means, was about to have given Orders to put all the Citizens to the Sword, and reduce the City to Aſhes; but He was ſoon diverted from it by the Lord *de Harecourt*, who ſhewed him the Ill Conſequences of ſo Cruel a Procedure: And thereupon, having received from Him milder Orders, rode early the next Morning with his Banner diſplay'd before him, from Street to Street, and by an Herald commanded aloud in the King's Name, That no man ſhould preſume to ſet fire to any Houſe, to kill any Perſon, or to violate any Woman whatſoever. The Towns-men hearing this Proclamation, freely admitted the *Engliſh* into their Houſes, and gave them good Entertainment: And yet for all this there were ſeveral Rapes and Murthers committed in the Town; and the Spoil was beſtowed on the Soldiers; except Gold, Silver, and Precious Stones, and the beſt Wares in the Merchants-Houſes and Shops, as Fine Cloath, Silks, and Linnen; of which vaſt Quantities were not long after conveyed into *England* for the King's Uſe, as were alſo all the Nobility, Gentry, and Citizens, who were there taken Priſoners.

The reſt of the Citizens receive mercy, yet the Plunder of the *Town* is given to the Common Soldiers.

[2.] The King having ſtay'd three days at *Caën*, departed thence, and in His March went thro' the *Biſhopricks* of *Liſieux* and *Eureux*, having, among others, taken and ſacked a good Town call'd *Louviers*, where He found a vaſt Quantity of Riches and Merchandiſe: He took alſo *Liſieux* it ſelf, a Notable City in *Normandy* abounding with Wealth, which His Soldiers plunder'd. * From thence He granted Letters of Safe-Conduct to *Anibald* Cardinal of *Tuſculum*, and *Stephen* Cardinal of St. *John* and St. *Paul*, who were ſent from the Pope to mediate a Peace: And theſe ſoon after came to the King, being then at *Gaillon*, which Place He had newly taken. And [3.] 'twas there they repreſented to Him, That they were ſent from His Holineſs to endeavour an Accord between Him and the King of *France*, deſiring Him to remit the whole Matter to the Pious Deciſion of the Pope. But King *Edward*, who could put no longer Truſt in Him, would not hear of any ſuch Accord; but preſently broke off all Treaty with the Legates, becauſe it appeared, That the Pope was much more favourable to the King of *France*, than to Him, or His Cauſe: Yet foraſmuch as one of them had been rifled by ſome *Engliſh* Soldiers, King *Edward* not only cauſed what was their own to be reſtored, but gave them ſomewhat over and above, to make them amends; and ſo they returned to *Paris*.

[2.] *Mezeray. Froiſſ.* c. 125.
The K takes and plunders *Louviers* and *Liſieux*.

* Rot. Norm. 20 *Ed* 3. m. 21. *Odoric. Raynold. ad hunc Ann.*
The King grants Safe-Conduct to two Cardinals ſent by the *Pope* to mediate a *Peace*.

[3.] Villani l. 12. c. 63.
But the Treaty with them is preſently broke off, and for what *Cauſe*.

In the [4.] mean time, King *Edward*, by ſeveral Parties He ſent out, over-ran the Country far and near, burning and deſtroying all that came in their way, except it were ſome Caſtle or Place too ſtrong to be taken without a long and formal Siege, which He then could not well afford Men or Leiſure, ſince He daily expected the *French* King's coming up to give Him Battel. And for this reaſon He left *Rouën* on His left Hand, or elſe, (as others ſuppoſe) thro' the interceſſion of the Lord *Harecourt*, whoſe Brother, the Earl of the ſame Name, was Governor there with a ſtrong Gariſon: tho' ſome ſay, that the King of *France* Himſelf, with Part of His Army, ſtill marched not far from the *Engliſh* on the other ſide of the *Seyne*, watching the King of *England*'s Motions all along until He came to *Poiſſy*; as appears by the Letters of the King's Chaplain, which we ſhall produce hereafter. Wherefore the King returned from thence to *Pont del Arche* on the *Seyne*, which He took and deſtroyed, as alſo all the Country about *Rouën*: The like He did to *Vernon*, and ſent out a Detachment from thence, which took and burnt the Town of *Giſors*,

[4.] *Froiſſ.* ib.
The King over runs and ſpoils all the adjacent *Country* in his March.

but

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He comes to *Poiſſy*, and from thence ſends K. *Philip* a Letter of Defiance.

[5.] Chron. Adam. Mur.

The King declines *Paris*, and marches into the *Country* of *Ponthieu*.

but would not ſtay to attempt the Caſtle, for the Reaſons before alledged. In the mean while the King marched by the *Seyne* to *Mante* and *Meulan*, both which He paſſed by, as He alſo did the ſtrong Caſtle of *Rouleboiſe*, but all along the River He found the Bridges broken down, as He did alſo at *Poiſſy*: From which Place the King thought fit to ſend King *Philip* (who was now return'd to *Blois*) a [5.] Letter of Defiance, to fight Him under the Walls of the *Louvre*, if He would come out to Him there. But to this He received no Anſwer till ſome time after. The King ſtayed Five days at *Poiſſy*, until He had repaired the Bridge that was broken down, and there paſſed the *Seyne* on the *Sixteenth* of *Auguſt*, and defeated ſeveral ſtrong Parties of the *French*, who came to hinder His Paſſage over: Yet did He not think it fit to approach nearer *Paris*, being apprehenſive He might be encloſed between the *Oyſe* and the *Seyne*, but turn'd aſide towards His own Country of *Ponthieu*; and ſtaying to repair the Bridges that were every where broke down to hinder His Paſſage, He had thereby more time to plunder and ravage the Country, and to burn moſt of the good Towns and Villages He paſſed through; the Smoke of which was ſeen as far as *Paris* it ſelf, to the great Conſternation of the Inhabitants.

[1] *Froiſſ.* c. 124.

King *Philip* ſummons all the Princes His *Confederates* to come to His Aſſiſtance.

But declines a Battel.

And leaves *Paris*, reſolving to fight King *Edward*.

[2.] Id. c 125.

King *Edward*'s men burn *Pontois*, and the Lord *Harcourt*'s rout the *Townſmen* of *Amiens*.

We ſhall now ſpeak of the Actions of the *French* King; [1] who, upon the News of King *Edward*'s being Landed, immediately muſter'd up all the Forces He could, and ſent for the Lord *John* of *Haynault*, who came to Him with all the Gentry of that Country; the King alſo ſent for the King of *Bohemia*, and His Son the Lord *Charles*, with the Duke of *Lorain*, and other Princes and Lords of *Flanders*, and other Parts of the *Low Countries*, with their whole Forces, but chiefly out of the *Nobleſs* of *France*, which amounted to a vaſt Number: He made up a Great Army, yet did then nothing with it but attended and watched King *Edward*'s Motions; who being now upon His Approach to *Paris*, He was ſtung with indignation to ſee His Country on fire under His Noſe, and was reſolved to put a Stop to it. But being diſſuaded by ſome of His Councellors from coming to a Battel, he had hitherto only followed Him at a diſtance, and obſerved His Motions, watching for an Opportunity to attack Him at Advantage. Yet at laſt King *Philip* conſidering the Greatneſs of His own Army, took freſh Courage, and reſolved to give Him Battel. Wherefore leaving *Paris* under a ſufficient Guard, He again marched out, and took the Field; and going to St. *Dennis*, was there attended by *Charles* King Elect of the *Romans*, and His Father the King of *Bohemia*, with all the reſt of the Princes His Confederates; all whoſe Forces, together with thoſe of the *French* King, made up an Army of above an Hundred Thouſand Men. With theſe He reſolved to overtake King *Edward*, and fight Him before He paſſed the River *Seyne*; [2.] Who in the mean while marched in Hoſtile manner thro' *Veuxin François* into *Beauvois*, burning and deſtroying all before Him. But in His way thither, He paſſed by the Town of *Pontois*, which the Rear-Guard of the Army took and burnt, Three Hundred *Frenchmen* at Arms being there ſlain. The next day, the Lord *Godfrey Harcourt*, and the Earl of *Suffolk*, marching on with *Five Hundred* Men at *Arms*, and *Thirteen Hundred* Archers, met with a great Number of the Townſmen of *Amiens*, who, at King *Philip*'s Command, were going to *Paris*, to help defend that City: Upon whom the *Engliſh* immediately

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diately falling, tho' they defended themſelves valiantly, (being headed by Good Commanders, and exceeding their Enemies in number) yet were at laſt routed, and *Twelve Hundred* of them ſlain upon the Spot, beſides a great many taken with all their Carriages and Amunition.

It is to be noted, that on the ſecond Day after King *Edward* had paſſed the *Seyne*, being then at *Abbeville*, within three Leagues of *Beauvois*, He there received Letters from King *Philip*, ſignifying, that He would give Him battel either on the *Thurſday*, *Saturday*, *Sunday*, or *Monday* following, which K. *Edward* ſhould pleaſe to chuſe, on condition He would in the mean while forbear deſtroying the Country: To which the King immediately ſent Him an Anſwer in Writing, that begins with no other Title than bare Sir *Philip* of *Valois*; and then reciting the Subſtance of the *French* King's Letter, 'Wherein He offers to fight Him with his whole Power, between St. *Germains de Prez*, and *Valgerart de la Paris*; the King again aſſerts His Right to the Crown of *France*, which was unjuſtly uſurped from Him, and that He was now come over to recover it by a Battel, which He was willing to have given Him before now, had He not cauſed the Bridges to be broken down, ſo that He could not approach Him until He came to *Poiſſy*; where having cauſed the Bridge to be repaired, He had for Three days waited His coming, but in vain, for He had not appeared: And ſhould *Philip* decline Fighting now, He (*viz.* King *Edward*) was marched further into His own Realm, to comfort and aſſiſt His Friends, and chaſtiſe thoſe that *Philip* called His Subjects; whom if He deſired to ſpare, He ſhould find Him ready to receive Him in the Field, and to encounter Him by the Help of God; and which He earneſtly deſired, ſince *Philip* would not offer any other Way of ending this Difference between them: Yet that He ſhould not be directed by Him to accept of any Day, or Place, of Battel, upon His Conditions. Dated at *Abbeville*, the *Seventeenth* of *Auguſt*, in the *Seventh* Year of His Reign over *France*, and over *England* the *Twentieth*.

King *Philip* writes to King *Edward*, offering Him Battel, which He accepts.

Then [3.] King *Edward* paſſing by the City of *Beauvois*, which He would not ſtay to beſiege, ſtill went on towards the *Somme*, the Bridges of which were all broken, and all the Fords and Paſſes ſo ſtrongly guarded, that it was impoſſible to paſs them without imminent Hazard and Danger. For King *Philip*'s Deſign was to encloſe *Edward* between the Two Rivers above-mentioned, that ſo He might either famiſh His Army for want of Proviſions, or elſe force Him to a Battel, to His great Diſadvantage; ſo that the King ſtill marched near the River, and (looking for a Paſſage over it) burnt divers ſmall Towns in His way: But when He came to the Town of *Oyſmount*, He there held a Council of War, and examining certain Priſoners, whether they knew ever a Safe Ford below *Abbeville*; one of them, [4.] *viz.* a Yeoman's Son of *Normandy*, called **Gobin Agace*, inform'd the King, That he knew of a Ford about Four Leagues off, where, at Low Water, not only the King Himſelf and His Army, but alſo all His Carriages might ſafely paſs over; for the Bottom of it was hard and firm with Chalk, Stones, and Pebbles, (whence it is called *Blanchette aque*, or the *White Water*:) And further engaged to conduct Him thither in Four or Five Hours time. At which the

[3.] *Froiſſart* c. 125, 126.

King *Edward* marches on towards the *Somme*, looking for a Paſſage over it.

[4.] *Gaguin. Du Cheſne ad hunc Ann.*

* The King is inform'd of a *Paſs* below *Abbeville*, called *Blanchette aque*.

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King being very well pleaſed, not only promiſed the Fellow his Liberty, but an Hundred Nobles for his Pains if he perform'd as much as he ſaid. Then the King diſperſed Orders thro' his Camp, that every one ſhould be ready to march upon Sound of Trumpet.

[5.] Id. c. 127.

The *Paſs* is guarded by a *French* Detachment.

But however, He did not find this Paſſage ſo eaſie as He expected; for about two days before, [5.] King *Philip*, who underſtood the Country well, and doubted that ſome or other, either out of hopes or fear, would inform King *Edward* of that Ford; for the greater Security of it, order'd Sir *Godemar du Fay* a *Norman* Baron, to go from *Amiens*, and defend *Blanchetteaque* with a Thouſand Men at Arms, and Six Thouſand Foot, together with ſome *Genoueſe* Croſs Bows. Upon which, this Lord went, and lay at *Crotoy*, not far from thence, to be there ready at hand; and he had ſuch Aſſiſtance from *Arras*, *Monſtrevil*, and other Places, that his Complement was now Twelve Thouſand. But King *Edward*, after He came near this Paſs, took but little Reſt that Evening; and about Midnight He aroſe, commanded the Trumpets to be Sounded, and all things to be ready for a March about Break of Day. So He left *Oyſement*, and marched on by the Guidance of *Gobin Agace*; and by Sun-riſe they came to *Blanchetteaque*, (near *Saigneville*) a Place below *Abbeville*, where the *Somme* ſpreading it ſelf more largely in Breadth, proves leſs Rapid and more Shallow than elſewhere: Yet here it is not paſſable, but when the Tide is out.

Yet the King marches on & reſolves to paſs over.

[1.] Id. ib

The *French* Commander reſolves to defend it againſt King *Edward*.

At [1.] their coming thither, they found it near High Water, ſo that they were forced to ſtay until the Ebb, before they would venture to paſs over. During which time, Sir *Godemar*, upon notice of the King's *Arrival*, made haſte thither from *Crotoy*, and ranging his Men upon the declining Bank of the River, reſolved to defend the Paſs againſt the *Engliſh*. However, King *Edward* being no way diſcouraged, when it was near Low Water, commanded His Mareſchals to enter the Ford, and Himſelf looking back on His Men, and crying out aloud, *They that love me, let them follow me*; plunged in after them, the whole *Army* following in good Order. Upon this, the *Frenchmen* at *Arms* on the other ſide, together with the Croſs-Bows, went alſo into the Water; and there the Gentlemen of *Artois* and *Picardy* behaved themſelves with much Reſolution; and being back'd by the *Genoueſe* Croſs-Bows, gave the *Engliſh* no ſmall *Annoyance*. But King *Edward's Archers* ſhot with ſuch Fury againſt them, that they were forced to retire from the Men of *Arms*, and, after an obſtinate Diſpute, were alſo beaten back by the *Engliſh*, and ſo they won the Shore; and ſtill as they landed began to draw up in Order. When Sir *Godemar du Fay* ſaw how ſtrangely his Men gave back, and that the Landing of the Enemy could be no longer hinder'd, he preſently fled, and left the Field, with the Chief of his Horſe; ſome whereof recover'd *Abbeville*, others St. *Ricquier*, but moſt of the Foot were cut off, with above Two Thouſand Men at *Arms*, beſides thoſe that were taken Priſoners. Nor did the *Engliſh* eſcape wholly without Loſs: For before the Rear could get quite over, the *Van-Couriers* of the King of *Bohemia*, and the Lord *John* of *Haynault*, came upon them, and kill'd ſome of them before they could gain the Ford, and took ſome Horſes and a few Carriages.

Who enters the Ford with His Army, & beats the *French* from the oppoſite Shore.

And many of the *French* Foot are cut off.
Holingſh.p.932.
H.K.Col.2587.

When [2.] K. *Edward* with His Army had eſcaped this great Hazard, He return'd Thanks to God; and then calling for the young Fellow that had guided Him over, not only paid him the hundred *Nobles* He had promiſed him, but gave him a good Horſe beſides to carry him home. The King was informed there was a great Town call'd *Noyelle ſur la Mer* not far off, but underſtanding that it belonged to the *Counteſs* of *Aumale*, who was Siſter to His late Friend the Lord *Robert* of *Artois*, He would do no harm to that Place, but turned another way, whilſt His Marſhals took and burnt *Crotoy*, in the Harbour of which they found a good Booty of *Veſſels* laden with Wines.

[2.] Id ib. The King being got over ſafe, returns *Thanks* to God, and very well rewards the man that had ſhew'd Him the Paſſage.

But [3.] it is time to return to the *French* King, who had marched from *Airaynes* in perſuit of King *Edward*, and expected to find Him encloſed between the River of *Somme* and His own Army; but when He heard how the Paſſage was won, and the Lord *Godemar du Fay* defeated, He cry'd out, *That He was betray'd*; for He thought it impoſſible that twelve thouſand Men, ſo well poſted as they were, ſhould not be able to defend that Paſs againſt all the World, if they had done as they ought to do: But that was not now to be remedy'd, whereof He immediately follow'd the *Engliſh* by the Banks of the River (on the other ſide of which K. *Edward* and His Army lay) and tho He had in His Company an Army of above an Hundred thouſand Men, yet [4] K. *Edward* offer'd Him free Paſſage over the *Ford*, provided He would come the next Tide and chuſe a place fit for Battel.

[3] Id. ib. K. *Philip* being inform'd that K. *Edward* had paſſed the River, is highly diſpleaſed, and follows Him as faſt as He can.

[4] *De la More* cited, *ad hunc An.*

But [1.] K. *Philip* thought it beſt for Him to retire back to *Abbeville*, as the moſt convenient Place where He might paſs the River, whilſt K. *Edward* in the mean time was marching up further about three Leagues into *Ponthieu*, till He came to the Foreſt of *Creſſy*, near the Town of the ſame Name, which ſtands on the River *Maye*, between *Abbeville* and *Heſdin*; the *King* finding here a convenient Country for two Armies to draw up in, and conjecturing rightly, that His Enemy being reſolved to give Him Battel, would follow Him where-ever He went, ſaid to His Lords, *That He would ſtay here till He had looked the Enemy in the Face, and recover'd this Province, which was the Inheritance of* Queen Eleanor *His Grand-Mother*; concluding with His own *Motto*, *God defend my Right*: And becauſe He had not above a fourth part of the Army that K. *Philip* then brought into the Field, He commanded His Marſhals to chuſe a piece of Ground, the beſt they could for His advantage, which being done, and having ſent out His Scouts (who yet could give Him no account of the approach of the *French*,) He there ſtrongly encamped Himſelf and all His Forces.

[1] *Froiſſ.* Ib. Yet returns to *Abbeville*, and there paſſes the River.

King *Edward* encamps in a convenient place near *Creſſy*, and there waits the coming of the *French*.

We [2.] will now ſpeak of K. *Philip*, who ſpent the ſame Day at *Abbeville*, on which K *Edward* encamped near *Creſſy*; and when the Duke of *Savoy*, who had been long expected, was come to the *French* Camp with a thouſand Men at Arms, the next Day about Sunriſe K. *Philip* marched from thence, and paſſing the Bridge of *Abbeville* with all His Army, advanced towards the Place where K. *Edward* was encamped; and when He approached ſomewhat near the *Engliſh*, He gave orders for His Army to be put in Battel Array, and the Foot to advance firſt. But it ſeems His Commands were not well obſerved; for [3.] *Froiſſart* relates from ſome that had been at this Battel, That there being a great multitude of Nobility, each of them ſtriving to go firſt, thereby to ſhew his forwardneſs as well as Quality;

[2.] Id. ib. King *Philip* paſſes the River at *Abbeville*, and advances toward K. *Edward*, and puts His Army in Battel array, but with great diſorder.

[3.] *Froiſſ.* c. 129.

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Four Gentlemen ſent to view the *Engliſh Army*, with their *Account* of it; and one of them adviſes the King not to fight that day.

none can imagine what ill Order and want of Conduct there was in the drawing up of this *French* Army: However, the King ſent out four Gentlemen; to wit, he that was commonly call'd the Monk of *Baſcle*, (but was indeed a ſtout Knight) and the Lord of *Noyers*, with two others, to take a view of the *Engliſh*, and give Him an Account what poſture they were in: Theſe Gentlemen being return'd in a little time from doing what they were commanded, the firſt of them (who had been an old Soldier belonging to the King of *Bohemia*) ſpoke for the other three, and gave the King this *Account, viz.* That the Enemy were drawn up in three Battalions, and waited for His coming; and therefore (with ſubmiſſion to better Judgment) his Advice was, That ſince it was now late in the Afternoon, it was better to let His Men reſt in the Place where they were, and not hazard a Battel that Day, when His Men were weary and out of order, for before they could all come up, it would be too late to engage with the *Engliſh*, who were freſh and newly come out of their Camp; which Advice the King at firſt ſo well approved of, that He commanded the Marſhals to give Order for the whole *Army* to ſtop and march no farther; but in this His Orders were not obey'd, for the *Captains* and *Soldiers* in the Rear, either not receiving, or not liking thoſe *Orders*, ſtill preſſed forward, and that ſo haſtily upon thoſe who were before, that they were again forced to renew their March, tho in great diſorder; and indeed the *French* Commanders preſumed ſo much upon their Numbers, that looking upon the day as their own, they thought it long before they began the Battel; and thus they advanced until they came within ſight of the *Engliſh* Army; of which it is now high time to ſpeak.

Which the K. approves, but His *Orders* are diſobey'd.

[2.] *Froiſſ.* c. 128. King *Edward* draws up His *Army* in three Battalions, and by whom they were commanded.

King [2.] *Edward* having ſpent part of the Night in His *Prayers* to God for Good Succeſs, roſe early in the *Morning*, and having heard *Maſs*, and communicated together with the Prince His Son, and moſt of the Lords and Gentlemen that attended Him, He then drew up His Army into three Battalions, the firſt of which was led by Prince *Edward* His Son, who tho' but little more than ſixteen Years of age, yet was of Strength and Courage above his Years: With him were joined for Council and Aſſiſtance *Thomas Beauchamp* Earl of *Warwick*, the Earl of *Oxford* (whom our *Author* ſtill calls *Quenfort* by miſtake) the Lord *Geoffrey Harecourt*, with divers other Perſons of Quality, amounting in all to the number of Eight hundred Men of *Arms*, Two thouſand *Archers*, and One thouſand *Light Armed Welſhmen*. The Second Battalion was headed by the Earl of *Arundel* and *Northampton*, the Lord *Ros*, with many other Lords and Knights, whoſe Names would be tedious to relate, the whole Body being to the number of Eight hundred *Men of Arms*, and Twelve hundred *Archers*. The Third and laſt Battalion was headed by the King himſelf, accompany'd by *John* Lord *Moubray*, the Lord *Roger Mortimer*, with others, in all to the number of Seven hundred *Men of Arms*, and Two thouſand *Archers*, the whole *Army* making up in all about Thirty thouſand effective Soldiers.

[3.] *Id. ib.* The K. puts His *Army* in order, and encourages 'em to fight, who wait the coming up of the *French*.

Then the *King*, having *knighted* Fifty young *Noblemen* and *Gentlemen* for their encouragement in *Arms*, and ſet His whole *Army* in ſuch order as if they were preſently to fight, [3.] mounted on a little White Nag, and riding between two of His *Marſhals* from Rank to Rank of each *Troop* and *Company*, He not only ſaw that all things were in good order, but exhorted every Man that Day to defend and maintain *His Right* and *Honour*; and this He did by ſuch obliging Words, that even the moſt faint hearted of them were ſufficiently encouraged. Then (it being about *Nine* in the *Morning*) the *King* commanded them all to go to Breakfaſt, which being ſoon diſpatched, each Man return'd again to his Place, where ſitting down on the Graſs, they lay ready ſome Hours, expecting the coming up of the Enemy, and when they beheld them approaching nearer to them, they preſently ſtarted up on their Feet, and prepared themſelves for Battel.

The [4] *Prince's Battalion* led the Van, and he had placed his *Archers* in the Front, who were drawn up in a thin oblong Square like a Wedge, that they might not be encompaſſed by their more numerous Enemies, and behind them ſtood the *Prince* himſelf, at the head of the Main Body of *Men at Arms*, having the *Battalion* that was led by the Earls of *Arundel* and *Northampton* for the Left Wing, whilſt the *King* Himſelf, with Twelve thouſand Men were drawn up on the Right Hand, ſomewhat farther off, on the ſide of a Hill; who were to ſerve as the *Forlorn* in caſe of extremity, and the Carriages were placed within a ſtrong *Trench* caſt up for that purpoſe.

[4] Id. c. 130. The manner of drawing up the *Engliſh Army*.

Then [5.] *King Philip* approaching near the *Engliſh Army*, commanded His *Genoueſe Croſs-Bows*, who were about Fifteen thouſand, to begin the Fight with their *Arrows*, which they did, tho with ſome Reluctance, as being ſo much tired by their long March, that they rather deſired to lye down and reſt them, ſo that their Volley of *Arrows* did little Execution; and juſt before the *Army* engaged there fell a ſharp Thunder-ſhower which ſo wet their *Bow-ſtrings*, that they could not ſend their *Arrows* home: Upon this the *Engliſh Archers*, whoſe *Bows* were kept cover'd in their Caſes, ſtept forward, and diſcharged ſuch a Shower of *Arrows* among the *Genoueſes*, as put them into that Diſorder, that flinging away their *Bows*, they retreated without making any more Volleys, but ran back upon that Body of *Horſe* where the King himſelf was; at which He was ſo incenſed, that *He* ſaid aloud, *Kill theſe Cowardly Raſcals, for they do but hinder us*; ſo that there aroſe a great Confuſion between the *Horſe*, ſtriving to go forward, and theſe *Croſs-bows* who ſought how to retire out of danger, the *Engliſh Archers* at the ſame time diſcharging freſh Flights of *Arrows*, where the Preſs and Confuſion was greateſt; inſomuch that the *Genoueſe* being trodden down by their own Party, as well as ſhot in the Backs by the *Engliſh*, were the occaſion that many of the *French* Nobleſs who ſtumbled over them, fell down Horſe and Man, and they were ſo far from being able to riſe, that they were the cauſe of others falling over them: Then immediately certain *Welſh* and *Corniſh* Footmen ran in among the *French* Gentlemen, and with long Knives cut the *Throats* of thoſe that lay on the Ground, of what Quality ſoever they were; for none that Day gave any Quarter on either ſide. In the mean while the Earl of *Alençon*, the Earl of *Flanders*, the Earl of *Blois*, the Duke of *Lorain*, and the *Dauphin* of *Vienne*, having at laſt got clear of the *Genoueſe*, coaſted round about with their own Troops, and came (tho not without much loſs) on the right ſide of the *Engliſh* Battalion where Prince *Edward* was, with whom they fell to handy-Strokes, and ſtoutly engag'd with His *Men at Arms*; and tho the *Prince* with His Battalions were drawn up behind the *Archers*, ready to receive the *Charge* of

[5] Id. ib. King *Philip* commands His *Genoueſe Croſs-Bows* to begin the Fight by diſcharging their *Arrows*, which they do but with ſmall execution, and are clearly put to flight by the *Engliſh Army*.

The *Croſs-Bows* being routed, bring a great confuſion among the *French* Horſe.

Who being overthrown, their Riders have their Throats cut by the *Engliſh* Foot.

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Prince *Edward* and the *Engliſh* that were with Him are very hard put to it by the *French*, whereupon he ſends to the King for Succours but He refuſes them.

At laſt he routs the *French* Squadrons that had attacked him, and divers Princes and Lords are there ſlain.

of the *French*, yet they were all of them very hard put to it; for certain freſh Squadrons of *French* and *German Horſe* ruſhing forward with great fury, and forcing the *Engliſh-Archers* to give way, fell in upon the *Prince* and his *Men at Arms* with great violence: hereupon the Second *Battalion*, commanded by the Earls of *Arundel* and *Northampton* came in to his aſſiſtance, who had elſe perhaps been overpower'd; however thinking themſelves in ſome danger, the Earls preſently ſent away a Knight to King *Edward* (who ſtanding with His *Battalion* on a *Hill* not far off, obſerved all the manner of the *Fight*) to deſire Him to come down ſpeedily to ſuccour His Son, as being then very hardly beſet; the *King* demanded of the *Meſſenger*, Whether he were ſlain or hurt? the Meſſenger anſwer *No*, but was like to be overpower'd; *Well* then, ſaid the *King*, *return and tell them who ſent you, that ſo long as my Son is alive, they ſend no more to me, whatever happen, for I will have the Honour of this Day to be his:* This *Anſwer* being brought back to the Prince and his Chief Commanders, they were the more encouraged thereby, being diſpleaſed with themſelves that they ſhould trouble the King with ſo mean a *Meſſage*; but by this time the Squadrons that ſet upon the *Prince* were utterly broken and routed, and many ſlain by him and his brave Aſſiſtants, inſomuch that he fully anſwered, if not exceeded the *King* his *Father*'s Expectation; for before they had done, the Earls of *Alencon*, *Flanders* and *Blois*, with the Duke of *Savoy*, tho they behaved themſelves valiantly, yet being encloſed between the *Engliſh* and the *Welſh*, were there ſlain, with many other *Knights* and *Squires* that attended them.

[1.] Id. ib.

The *Prince* being follow'd by divers *Engliſh* Noblemen, falls upon the main Body of the *French* Army, and forces the Emperor Elect to quit the Field, His Father King of *Bohemia* being there ſlain.

[2.] *Gi. Villani* L.12. c. 66.

How the three *Oſtrich-Feathers* come to be the *Arms* of the Prince of *Wales*.

And now the *Prince* and his Men, being throughly inflamed with this *Succeſs*, and aſſiſted by the Forces of the Earls of *Arundel* and *Northampton*, [1.] began to march forward againſt the Main Body of the *French* Army, which ſtill continued to make a vigorous defence; and the *Marqueſs Charles*, Emperor Elect, received the Prince with great Courage, until His Men being ſlain round about Him, and Himſelf wounded in two or three places, [2.] He thought it beſt, tho with ſome difficulty, to quit the Field, without ſtaying to ſee what was become of His Father, the *King* of *Bohemia*; who, tho He had already loſt an Eye, and was almoſt blind with *Age*, reſolved not to diſgrace His former Victories by an *Ignoble Flight*: but making the Gentlemen about Him lead Him up to the Enemy, and having order'd His *Horſe*'s *Bridle* to be ty'd to thoſe that were next Him, as the reſt of them did to thoſe of their Companions, they fought ſo deſperately, that they were all ſlain upon the Place, their *Horſes* being ty'd together, and their Dead Bodies were found the next Day ſurrounding that of their Maſter's; then were the *Arms* of that Valiant *King* (being Three *Oſtrich-Feathers*,) taken by the *Prince* of *Wales*, and afterwards uſed as his *Device*, and have ever ſince been born by his Succeſſors the *Princes* of *Wales*.

The King of *Majorca* alſo kill'd.

[3.] Chron. *Ad. Mur. H.K. Gi. Villani.* ib.

At the ſame time alſo fell *James King* of *Majorca* by the hands of the Earl of *Northampton*, if we may beleive the [3.] *Authors* of thoſe Times, who are cited in the *Margin*, beſide the Teſtimony of *Eneas Sylvius*, that was afterwards *Pope* by the Name of *Pius* II.; tho ſome relate, that this Prince was afterwards ſlain in a Battel by his Adverſary the *King* of *Arragon*; or, as others, That He was by Him ſtarved to death in Priſon.

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[4.] Id. ib. King *Philip* acquits Himſelf not only like a General, but a Gallant-Soldier; yet is at laſt forced to retreat.

In the meanwhile, [4.] King *Philip* did not fail to perform the Part not only of a Couragious General, but alſo of a Brave and Gallant Soldier: For rallying again the Flower of His Nobility and Men at *Arms*, He enter'd the Hotteſt of the Battel, and not being known, was ſo hem'd in among the *Engliſh*, that His Horſe being killed, He was remounted by thoſe about Him; and being again diſmounted, and wounded in the Neck and Thigh, had been there either ſlain, or taken Priſoner, had He not been mounted the Third time by the Lord *John* of *Haynault*; who, at the ſame time taking the King's Horſe by the Bridle, obliged Him, partly by Perſuaſions, and partly by Force, to quit the Field: After whoſe Departure, little Reſiſtance was made, except by the Earls of *Flanders*, *Auxerre*, *St. Paul*, and ſome *Germans*; who notwithſtanding were all at laſt ſlain, and their Men utterly defeated.

[5.] *Mezeray ad hunc Ann.* How many hours the Fight laſted.

H. K. The Names of the *Kings, Princes, &c.* that were there ſlain.

Thus [5.] the Battel endured from Four a Clock in the Afternoon till two Hours within Night; and, if we reckon the ſeveral Efforts that ſome Scattering Troops made by fits, till Two the next Morning: Where, on the *French* Part, were ſlain, Two Kings, *John* King of *Bohemia*, and *James* King of *Majorca*; and of Princes, *Charles* Earl of *Alencon*, King *Philip*'s Brother, *Guy* Earl of *Blois*, *Lewis* Earl of *Flanders*, *Ralph* Duke of *Lorain*, Nephew to the King of *France*, *James* Son of *Humbert*, *Dauphin* of *Vienne*, and many others of the Chief Nobility of *France*, *Bohemia*, and *Germany*: Beſides theſe, there fell Four and Twenty Bannerets, Twelve Hundred Knights, Fifteen Hundred Gentlemen, and of Men at Arms and Eſquires on Horeſeback, Four Thouſand, but of the Commons of *France* above Thirty Thouſand more.

* *Ad hunc An.* The ſmall Number of the *Engliſh* that then fell almoſt incredible.

On the *Engliſh* ſide, I cannot ſay particularly how many were ſlain, unleſs we ſhould believe what * *Knyghton* relates, when he ſays, That there fell but one Eſquire before the Fight, and three Knights in the Battel; which ſeems almoſt incredible. But ſince neither the *French*, *Engliſh*, nor any other Writers, are more particular in this Point, it is thus far certain, That none of the *Engliſh* Nobility, nor many Common Soldiers, fell that day; which is to be looked upon as a Remarkable Inſtance of Divine Favour to King *Edward*'s Arms. This Great Battel was fought on the *Twenty Fourth* of *Auguſt*, being the Feſtival of St. *Bartholomew*.

* *Ad hunc An.* The Chief Cauſes to which Hiſtorians attribute this Defeat.

Before I quit this Subject, I cannot but obſerve, that * *Mezeray* attributes the Chief Cauſe of the Loſs of this Battel, to Want of Courage in the *Genoueſe* Croſs-Bows; who fail'd to acquit themſelves as they ought in the Beginning of the Battel; as alſo, that ſome of the *French* Grandees being willing to ſee their King a little humbled, rather made a Shew of Fighting, than doing it in good earneſt, and quickly withdrew themſelves out of the Field: To both which he alſo adds, That King *Edward* brought into this Battel Four or Five Pieces of Cannon, which did no ſmall Execution, and caſt a ſtrange Terror and Confuſion among the *French*: For this, ſays he, was the firſt time that ever thoſe Thund'ring Engines were ſeen in the Wars of *Europe*.

As for the two former of theſe Cauſes, I will not contradict him, but for the laſt, I muſt make bold to queſtion his Authority; unleſs he had cited ſome other Teſtimony for it; all our own Writers, as well as the

Foreign ones of that Age, making no mention of it: tho' I grant, that theſe fatal Engines were invented in *Germany*, about Six or Seven Years before. But to return to our Hiſtory.

[1.] *Froiſſ.* c. 130. King *Philip* retreats but with 60 Perſons to the Caſtle of *Braye*, where He is received with great conſternation, and goes from thence to *Amiens*.

[1.] King *Philip* having retired, as we have already ſhewn, by the Favour of the Night, with not above Sixty Perſons in His Company, (of whom about Five were Barons) rode away as faſt as He could, till coming to the Caſtle of *Braye*, about two Leagues *Northward* from the Place of Battel, found the Caſtle-Gates ſhut; wherefore He called for the Captain of the Watch, who coming to the Walls, demanded, who it was? The King reply'd, Open the Gates quickly, *for I am the Fortune of* France: But whether He meant the Good or Evil *Fortune*, I will not determine. So ſoon as the Governor knew the King was there, he preſently cauſed the Gates to be open'd, where He was received by the Tears of His Subjects, lamenting His Misfortune, whom He encouraged as well as He could. But He ſtayed here no longer than to refreſh Himſelf, and [2.] going from thence about Midnight, came to *Amiens* before Morning: Where He bitterly exclaim'd againſt Sir *Godemar du Fay*, who had let King *Edward* paſs over at the Ford above-mentioned; ſaying, he was a Traytor, and the Chief Occaſion of his late Defeat; and was like to have order'd him to be hang'd, but the Lord *John* of *Haynault* moderated His Reſentments, telling Him in few Words, *How could it lie in Sir* Godemar's *Power to reſiſt the whole Force of the King of* England, *when all the Flower of* France *could not prevail againſt Him.* This Truth mitigated the King's Diſpleaſure; who ſoon after return'd to *Paris*, to conſider of His Weighty Affairs, in ſo ſad a Conjuncture.

[2.] Id. c. 134. And had executed Sir *Godemar du Fay*, had not the Lord *John* of *Haynault* prevented it.

[3.] Id. c. 131. What was done after the Battel.

[4.] *H. K.* col. 2588.

The Death of the Earl of St. *Paul*.

But [3.] we ſhall now look back to the Place of Battel, and ſee what hath been doing there in the mean while. All that *Saturday*-Night after the Battel, the *Engliſh* never broke their Ranks to take any Priſoners whatſoever; for knowing how numerous the Enemy was, and that there were two or three freſh Bodies near thoſe Parts, they never offer'd to follow the Chace, but ſtood ready upon their Guard; and if one ſays true, they had need enough to do ſo: [4.] ſome of the *French* Troops rallying upon them ſeveral times that Night, though they were ſtill repulſed with Loſs. And certainly this Day King *Edward* ſhew'd Himſelf a moſt Experienc'd Commander; For He order'd the Greater Part of His Army, eſpecially the Battalion in which He Himſelf was, to keep the Field, and ſtand to their Arms all Night; tho' it is ſcarce to be believed, that the *French*, after ſo abſolute a Defeat, with the Flight of their King, and the Death of ſo many of the Principal Leaders, could have the Courage to make any freſh Attacque on their Enemies; and that too in the Night, when all things are doubtful even to a Conqueror. Yet indeed the Earl of St. *Paul* had ſtill preſerved ſeveral entire Troops, and had done more Execution, if in his laſt Attempt he had not been ſlain; however, far the Greater Part of the *French* Army eſcaped, tho' in ſmall ſcatter'd Parties: yet ſome, by the Darkneſs of the Night, fell among the *Engliſh*, where they found no better Uſage than they would have done in the Battel.

[5] *Froiſſ.* ib. The Prince cauſes Fires & Torches to be lighted, and is met by the King His Father; with what paſſed between them.

When [5.] Prince *Edward* received no more Diſturbance from the Enemy, and was now aſſured of the Victory, He gave Orders for Fires to be made, and Torches to be lighted up round about the Field, to diſpel the Darkneſs. At which time, the King His Father being come down from the Hill, where He had ſtood in His Armour all the time of the Battel, advanced to the Prince, (who ran to meet Him) and having embraced and kiſſed Him, ſpoke to this effect:

> '*Dear Son, God Almighty give you Grace to go on as you* '*have begun: You are my beſt Son, and have this day ac*-'*quitted your ſelf moſt nobly, and truly deſerve that Crown* '*for which We have fought.*

To this the Prince made no other Reply, but by a Submiſſive Bow almoſt to the Ground.

[1.] Id. ib. The whole Army return publick Thanks to God.

[1.] That Night was ſpent by the whole Army in Publick rejoycing for their Good Succeſs, but they made no manner of Boaſting. For it was the King's Expreſs Command, That none ſhould inſult, nor make any vain Bragging Songs or Ballads; but all moſt humbly to give Thanks to Almighty God, for his Infinite Goodneſs and Mercy to them.

The Field of Battel conſecrated for the Burial of the Dead.

The next day, for the ſake of the Dead, the Pious King cauſed the Place of Battel to be Conſecrated, for the Decent Sepulture both of His Enemies and Friends; and ordered, That the Wounded ſhould be taken up, and carefully dreſſed and look'd after; and to the meaner ſort, when recovered, He gave Money, and ſent them away.

[2.] Id. ib. The King ſends out a Party to ſcour the Field, who fall upon a great Number of *French* belonging to ſeveral *Towns*, & deſtroy moſt of them.

[2.] The next Morning, being *Sunday*, there was ſuch a Miſt, that a Man could hardly ſee before him: But however, King *Edward* and His Mareſchals ſent out Five Hundred Spears, and Two Thouſand Archers on Horſeback, to ſcour the Fields, and to ſee whether any of the *French* were again rallyed. Now it happen'd, that a great Number of the Inhabitants of *Abbeville* and *St. Requier* in *Ponthieu*, with the Commons of *Roüen* and *Beauvois*, had early that Morning come into the Field, not knowing of the late Loſs; and ſome ſay, the *Engliſh* had ſet up the *French* Colours, which they had taken in the Fight, whereby thoſe poor *Frenchmen* being deceived, came up to join them, as if they had been their Friends; but the *Engliſh* ſoon made them know their Error, and fell upon them ſo furiouſly, that they quickly put them to flight, and chaſed them, and ſlew in the Ways and among the Hedges more than Seven Thouſand Men; nor had one of them eſcaped, if the Day had been clear.

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The *Engliſh* encounter another *Party* led by the *ABp* of *Rouën*, and put them to the Sword.

[3.] Vid. *Will. Northburgh's* Letter, cited in *Fox Acts* and *Mon.* pag 504.

The *Engliſh* had ſcarce wiped their Swords, and recover'd their Order, when they met with another Occaſion to beſtir themſelves; for now they were to encounter a more Formidable Number of their Enemies, conducted by two *Great Men* the Archbiſhop of *Rouën*, and the Grand Pryor of *France*: Theſe alſo being ignorant of the late *Overthrow*, had only heard that *King Philip* intended not to fight till the *Sunday*, and therefore thought then would be time enough to come thither to His Aſſiſtance; upon theſe (the Day beginning now to clear) [3.] the *Engliſh*, under the leading of the Earls of *Arundel*, *Northampton*, and *Suffolk* fell with that Courage, that after an obſtinate Reſiſtance they gain'd a Compleat Conqueſt, having ſlain the two Commanders, with moſt of their Men upon the ſpot: Beſides theſe, they met with many of the *French*, who had ſtray'd in the Dark, and not well knowing where they were, had lain in the open Fields; but their Reſpite was not long, for now they were all (as many as were ſo met with) put to the Sword without any Quarter, whereby it was thought, that of the Commons and Foot-Men of the *Cities* and Neighbouring *Towns* of *France*, there fell now near four times as many as were ſlain the Day before in the Battel.

The Reaſon why the *Engliſh* gave no Quarter.

[4.] Sir *Tho. de la More* cited, by *Stow*. pag. 242.

But perhaps this may be thought a great piece of Cruelty to kill and deſtroy ſo many Thouſand Men without giving any Quarter. To this it may be reply'd, That the *Engliſh-Army* being but few in compariſon of the *French*, durſt not encumber themſelves with Priſoners, and had no place near where they could beſtow them; and [4.] beſides, the *Engliſh* were well inform'd, That the *French King* being aſſur'd of the Victory, and reſolved that His Men ſhould ſatiate themſelves with the Slaughter of their Enemies, had ordered them to give no Quarter to any, but *King Edward* Himſelf, and the Prince His Son; and ſo the *Engliſh* did but deal with the *French*, as they muſt have been dealt with themſelves had they been overcome.

[5.] *Froiſſ.* c. 132.

The King finding no more Enemies left to encounter, orders the burial of the Slain, whom being ſtripped, He orders the Booty to be given the Soldiers.

The [5.] ſame *Sunday* about *Noon*, as the *King* came from hearing *Maſs*, the Captains of this Flying Party, whom the *King* had ſent out for that purpoſe, return'd and ſhew'd what they had done, and how they had ſucceeded, and aſſured Him that there was no more appearance of any Enemy in the Field: Then the *King* ordered the Lord *Reginald Cobham*, and Sir *Richard Stafford*, Brother to the Lord *Stafford*, with three *Heralds*, to go and ſearch the Fields, and view the Number and Quality of the Slain, (for in thoſe Days every Nobleman and Gentleman of Note wore a Surcoat of his *Arms* over his *Armour*, to diſtinguiſh him according to his Quality), theſe having viſited the Bodies of the Slain, when they had taken a full and exact Account of them, certain Men, who were thereto appointed by the *King*, ſtripped the Dead Bodies, taking the Money, and what elſe was moſt valuable from them, but all this with ſo much decency, that they left ſufficient Apparel to cover their Nakedneſs. That Booty the *King* cauſed to be equally diſtributed among His Soldiers; and the Lord *Cobham*, and Sir *Richard* being returned from viſiting the Dead, after Supper they gave the *King* a Juſt Account how many of the Enemy were ſlain (*viz.*) Eleven *Princes*, Eighteen *Bannerets*, Twelve hundred *Knights*, and more than Thirty Thouſand of the Common Soldiers.

The whole number of the Slain in this Battel.

King Edward [1.] kept the Field all *Sunday-Night*, and on *Monday-Morning* prepared to march from thence; but firſt by *Proclamation He* granted a *Truce* to all the *Towns* thereabouts for three Days, That ſo the Countrey People might be encouraged to come and ſearch the *Fields*, and bury their *Dead*; but as for the Bodies of the *Kings* and *Princes*, *He* cauſed them to be taken up decently, and convey'd with ſolemn Pomp to *Monſtrevil*, where they were all depoſited in the *Abbey Church*, the *King Himſelf*, and the Chief of the *Nobility* attending in *Mourning* at their *Funerals*; eſpecially bewailing the Loſs of that Gallant Old Prince, the *King* of *Bohemia*: his Body the *King* not long after cauſ'd to be convey'd to the Marqueſs *His Son*, who order'd it to be bury'd at *Luxemburgh* among *His* Anceſtors.

[1.] Id. ib. The *King* cauſes the Bodies of the *Kings* and *Princes* to be buried at the *Abbey* of *Monſtrevil*, Himſelf attending at their Funerals. *Villani* l. 12. c. 66.

While [2.] the *King* lay thus at *Monſtrevil*, *His Marſhals* made an Excurſion towards *Heſdin*, and burnt *Vauban* and *Seram*; but they let the Caſtle alone, becauſe it required ſome time to take it, and that Night they lodged by the River of *Canche* near *Heſdin*. The [3] next day the whole Army began to march forward towards *Bologne*, and by the way took St. *Joſſe*, with the *Town* of *Eſtaples*, and other ſmall Places, and burnt and waſted all the Country for about *Eight Leagues*, to the very Suburbs of *Bologne*. [4.] After this, the *King*, with the *Prince His Son*, went and encamped by *Whitſand*, on the Sea-ſide, about Three Leagues from *Calais*, and having tarried there one Day to refreſh *His Army*, on *Thurſday*, being the Laſt of *Auguſt*, or (as *Du Cheſne* with more probability ſays,) the Seventh of *September He* came and ſat down before the ſtrong *Town* of *Calais*, which had been of old a great Annoyance both to *Him* and *His Kingdom*, being a Place of much ſtrength in thoſe Times, and a better *Harbour* than it is at preſent; nor did *He* inveſt it only by Land, but alſo blocked it up by Sea; the Earl of *Huntington*, *His Admiral*, lying before it with a Great Fleet, conſiſting of no leſs than Seven hundred thirty eight Veſſels of all ſorts, lately arrived from *England*.

[2.] Id. ib. The K's *Army* burn ſome Towns, and then march towards *Bologne*.

[3.] *Froiſſ.* ib.

[4.] H. K. col. 2588.

The *King* with His whole *Army* ſits down before *Calais*.

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The *King* ſummons the Governor to ſurrender, who returns a ſtout denial.

So ſoon as the *King* came before the *Town*, He ſent a Summons by a *Herald* to the Governor, to ſurrender the City and Caſtle to Him, as Rightfull *King* of *France*; otherwiſe, upon taking the Place, He would put them all to the *Sword*: Sir *John de Vienne*, the Governor, anſwer'd, *He knew but one King of* France, *who had ſent him thither to keep that Place, in whoſe Service he was reſolved both to live and die; though he doubted not but to have ſufficient Aſſiſtance from Him when there ſhould be occaſion.*

[5.] *Froiſſ.* c. 133.
The *King* reſolves to reduce the *Town* by Famine, and to that end makes deep *Trenches* round it, with Huts for the Soldiers.

Upon this Reſolute *Anſwer* [5.] *King Edward* began to entrench Himſelf ſtrongly about the City, and ſince He was not like to take it by Aſſault, reſolved to reduce it by Famine; and to this end He drew a *Trench* quite round the *Town*, with regular Fortifications, and form'd His Camp into Streets, conſiſting of *Huts* cover'd with Reeds, for His Soldiers, ſufficient for them to lodge in all the Winter; and the Diſcipline of the *King*'s *Army* was ſo ſtrict, and His Pay ſo good, that the People brought in all ſorts of Proviſions and Commodities, beſides what was ſent them in from *England*, and other Parts of the *King*'s Dominions: And more than this the Marſhals ſcour'd the Country daily, and rode often towards *Guiſnes* and *Terouenne*, and to the very Gates of *Ardres*, and St. *Omers*, and ſometimes to *Bologne*, and mightily refreſh'd the *Army* with great Booties of Cattel, which they brought thither in abundance.

The great Plenty in the *Engliſh* Camp.

[1.] *Id. ib.*
The Governor turns out of the *Town* above 1700 uſeleſs Mouths, who are permitted by the *King* to go away.

[1.] Not long after the Siege was thus begun, *John de Vienne*, afterwards Marſhal of *France*, and Chief Commander in the *Town*, by the *Advice* of the reſt of the great Officers that were with him in the Gariſon, foreſeeing a long Siege, thought fit to rid the *Town* of as many uſeleſs Mouths as he could, and ſo he forced out more than Seventeen hundred of the pooreſt and leaſt neceſſary People; and ſhut the Gates upon them; which when the *King* ſaw, He was ſo far from driving them back again, and ſtarving them, as ſome Cruel Conquerors would have done, that having compaſſion on them, He not only let them paſs through His Camp without moleſtation, but gave them all a Dinner, and *Two-pence* a piece in Money.

The *Town* of *Terouenne* taken and plunder'd.

Not long after the Earl of *Warwick* ſent forth a Detachment as far as *Terouenne*, where he heard a great Fair was then kept; but though the Biſhop had raiſed Ten Thouſand Men to defend it, yet they were all worſted, and the Biſhop himſelf wounded, and forced to fly for his Life; and he not only plundered the Fair, but the *Town*, carrying all the Riches he could find in both to the Camp at *Calais*.

[2.] Id. c 134. K. *Philip* ſends to His Son to raiſe the Siege of *Aiguillon.*

[3.] *Hect. Boeth.* l. 15. He alſo writes to the King of *Scots* to invade *England.*

[2.] In the mean while, *King Philip* being now arrived at *Paris,* was conſulting about the beſt means how to ſecure His Country, and to be revenged on His Enemies; and in order to the former, He ſent His Expreſs Commands to His Son, the Duke of *Normandy*, to raiſe the Siege of the Caſtle of *Aiguillon*, and return to Him, with the Army under His Command. And as to the Second, to divert the War from *France*, [3.] He wrote to His Ally, *David King* of *Scots*, conjuring Him by all the Tyes of Friendſhip, and the Confederacy that was between them, to lay hold of this Opportunity of raiſing the Siege of *Calais*, and to revenge their Common Injuries, by making a Terrible Invaſion upon *England* during *King Edward*'s Abſence, with the *Flower* of His Forces; and the more to encourage Him in this Enterprize, He ſent Him a good Sum of Money, beſides Fifteen hundred *Croſs-Bows*: And the *Scotiſh King* not long after employ'd them; for in the Month of *July* following, (as a Manuſcript Chronicle of the Church of *Durham* informs us) He ſent the Earl of *Murrey*, as His General, to invade *England*; who entering by the way of *Cumberland*, miſerably deſtroy'd moſt part of that Country with Fire and Sword, and ſo returned into *Scotland* with a vaſt Booty of Cattel, and without receiving any Damage or Reſiſtance from the *Engliſh*: Which was (I ſuppoſe) either becauſe this Invaſion was very ſudden, or ſoon over: Or elſe it proceeded from the *King*'s being with the *Flower* of the *Engliſh* Forces in *France*.

But it is now time to return to Civil Affairs, and ſee what has been tranſacting during the *King*'s Abſence.

A *Parliament* ſummoned by the Lord *Linel*, the K's Son.

Rot. Clauſ. 20 *Ed.* 3. part. 2. m. 22. Dorſ.

The Lord *Lionel*, His Son, who was left behind as Guardian of the Realm, by the *Advice* of the Lords of His Council, iſſued out Writs for a Parliament to meet at *Weſtminſter*, on *Monday* after the Feaſt of the *Nativity* of the *Bleſſed Virgin*, or Eleventh of *September*.

This *Writ* bears Date at *Windſor* the Thirtieth of *July*; *Teſte Leonello filio Regis*, &c. *Cuſtode Angliæ.*

Of Which Record I take the more Particular Notice, that you may thereby correct the Error in Sir *William Dugdale*'s Edition of *Parliamentary Writs of Summons to the Lords*, which concludes this Writ, with *Teſte Edwardo Comite Cornubiæ Cuſtod. Angliæ*, &c. when the Prince was now in *Normandy* with his Father, carrying on the War againſt *France*.

But to return to the Matter in hand:

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* Rot. *Parl* 20 *Ed.* 3. n. 16. Note Cotton's *Abridgment*, p. 46. falſly places it on the *Monday* after *Chriſtmaſs-day*.

A *Parliament* held on *Monday* after our *Lord's Nativity* by the Lord *Lionel*, Guardian of the Kingdom, and what was done in it.

The K's Letters *Credential* are read in *Parliament*.

Sir *Bartholomew Burghurſt* gives them a Brief Relation of the K's late Victory and Succeſſes, with the Siege of *Calais*, and puts them in mind of their *Promiſe* to aſſiſt the King to the utmoſt of their power.

The Lord *Lionel*, at the Day appointed, held the Parliament according to the Summons, as Guardian of the Realm for the King His Father; at which time they being inform'd, that Sir *Bartholomew Burghurſt*, Sir *John Darcy*, Lord *Chamberlain*, Mr. *John de Thoresby*, Clerk of the Privy Seal, and Mr. *John de Carleton* were arrived as Meſſengers from the *King* then lying before *Calais*; yet ſince they could not be ready to make their Appearance till the *Wedneſday* following, they were therefore prorogued until that Day; when were produced the King's Letters Credential, directed to the Archbiſhops, Biſhops, Abbots, Priors, Earls, Barons, and others His Faithful Subjects in Parliament, * bearing Date at *Calais* the Seventh of *September* laſt paſt, referring them for the Relation of what He had done to the Meſſengers above-mentioned. Then the ſaid Sir *Bartholomew* for himſelf and his Companions, in preſence of the Guardian of *England*, the Prelates and other Great Men there named, declared the Great Graces God had given to the King, His Nobles, and others with Him, after their landing at *La Hogue*, with a ſhort Account of His Progreſs and Succeſs in *Normandy*, the late Battel of *Creſſey*, and His beſieging of *Calais*, from whence He reſolved not to depart till He had taken the Town, and that then He would draw towards His Adverſary, perſue His Quarrel, and not return into *England* before He had ended the War beyond Sea, with the help of God; for the accompliſhment of which, the ſaid Meſſengers prayed the Prelates, Great Men and Commons, that they would treat and adviſe about an Aid and Means to perfect that which had been ſo well begun; *For that by Common Aſſent in Parliament, at the time when the King undertook this War, they all promiſed that they would aſſiſt Him with their Bodies and Goods to the utmoſt of their Power.*

* Ib. n. 8.

The *Meſſengers* produce an *Agreement* made between the *French* King and ſome Great Men of *Normandy* to deſtroy the *Engliſh* Nation.

At * the ſame time they produced an Ordinance or Agreement made between the King's Adverſary of *France* and ſome Great Men of *Normandy*, to deſtroy the whole *Engliſh* Nation and Language; and to put this Deſign in execution, the Earl of *Ewe*, then Conſtable of *France*, and the Earl of *Tankerville*, were to raiſe a Great Army for that purpoſe; but as it pleaſed God, they were both taken Priſoners at *Caën*, and many of their Men kill'd, as you have already heard, that this intended Invaſion and Deſtruction were quite defeated.

* Ibid.

This * Ordinance is entered upon the Parliament-Roll, and is in the *Todding*, called, *L' Ordinance de Normandiæ*: 'tis pretty long, but the moſt material Thing in it, is:

' That

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'That *John* Duke of *Normandy*, as General, with the Nobles and others of that Dukedom, were to paſs into *England* 'with *Forty Thouſand* Men of all Sorts. And then it was 'agreed, That if *England* was thus Conquer'd, it ſhould be in 'the Name of the Duke; and all that the King of *England* 'enjoy'd ſhould be his, as King and Lord, with all His Rights 'and Honours: And what the Nobles, Barons, and other Seculars enjoyed, was to be poſſeſs'd by the Church, the Barons, Nobles, and Great Towns of *Normandy*.

The Effect of that Agreement of *France*.

'That the Pope and Church of *Rome* ſhould ſafely have what 'they before had, without any Diminution.

'And, That whatever had been taken from the *Scots* by 'War, or otherwiſe, ſhould be fully reſtored.

This Ordinance was dated at *Boys de Vincennes*, the *Twenty Third* of *March*, 1338. and *Avesbury* relates, that it was found at *Caën*, where it was lately taken and delivered to the Archbiſhop of *Canterbury*, that he might excite the Clergy and Laity the more readily to pray for, and aſſiſt the King.

* After theſe things had been thus declared in Parliament, they all thanked God for the Succeſs he had given the King againſt His Adverſary; and ſaid, That whatever had been given Him, had been well employ'd; and that they would further Aid Him according to their Power. Then the Knights, Citizens, and Burgeſſes, deſired time to conſider of the *Aid*, until *Thurſday* next following. When they granted Him *Two Fifteenths*, making Grievous Complaints of Oppreſſion and Poverty in their Grants: * Praying the King to conſider, how they had been Annually charged with great Talliages, as *Fifteenths*, Wools, *Ninths*, Men at Arms, † *Hobelors*, Archers, Victuals, Guard of the Sea-Coaſts, and many other Taxes, by which they were almoſt ruined. And alſo, in the laſt Parliament, when they gave *Two Fifteenths* for the Ending of the War, it was granted, and certainly promiſed to them, That they ſhould not be charged or grieved with any further Payments of Talliages: Wherefore it ſeemed to them reaſonable, that they ought now to be diſcharged, and excuſed. And notwithſtanding all theſe Grants and Promiſes, there daily iſſued Commiſſions to Array in all Parts of *England*, for Men at Arms, *Hobelors*, and Archers, according to the Value of their Lands, or to make Compoſition for the ſame.

* Ibid. The Eſtates of Parliament approve of what had been done, yet deſire time to conſider what further Aid they ſhall give the King.

* Ibid. n. 8.

† Note *Hobelors* were Light Horſemen, ſomewhat like our *Dragoons*.

They likewiſe complained of Purveyance, and Free Quarter, and of the Cuſtom and Subſidy of Forty Shillings the Sack upon Wooll. Which Grievances, Hardſhips, and Oppreſſions, were done and ſuffer'd every day, wihout Aſſent or Grant in Parliament;

They likewiſe complain of ſeveral Grievances and Oppreſſions, yet grant the King *Two Fifteenths*.

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* *Vid. Pulton's* Stat. 14 *Ed.* 3. c. 1.

ment; expreſly againſt * Law: Yet notwithſtanding theſe Oppreſſions and Grievances, the Commons, to the utmoſt of their Abilities, had now granted *Two Fifteenths* for the final Accompliſhment of the War, by God's help, and the Deſtruction of the King's Enemies; to be levied in Two Years, of Cities, Burghs, and Antient Demeſnes, and alſo of the *Commons of the Counties*; ſo as their Petitions upon theſe Grievances, and others, might be recited on the morrow in Parliament, and have ſpeedy and good Remedy order'd thereupon, for the Common Profit of the Land; according as the King's Four Commiſſioners or Meſſengers, had granted on His behalf to the *Commons*.

* Ibid. n. 9 The Petitions and Complaints of the Commons.

Then * the Commons made their Petitions more fully, ſetting forth the Hardſhips and Oppreſſions they then lay under.

Their firſt Petition was, That the *Ordinances*, *Promiſes*, and *Grants*, made by the King in Parliament, for the future might be obſerved, for the Eaſe of the *Commons*, againſt the great Charges and Hardſhips they had ſuffer'd. Alſo, That Commiſſions might not be iſſued out of *Chancery*, to charge the People with the Array of Men at Arms, *Hobelors*, Archers, or Victuals, without Aſſent or Grant in Parliament: And if any ſuch were, the People ſhould neither be charged with, nor bound to obey them.

† Ibid. The Anſwers to them.

† The Anſwer was, As to the *Firſt* Point, That it ſhould be as they deſired.

* In *French*, *Grantz*.

As to the *Second*, It was Notorious, that the Great Men and Commons, in many Parliaments, had promiſed the King, to aſſiſt Him to their utmoſt with Body and Goods in His Quarrel with *France*, and for the Defence and Safety of *England*. Wherefore the * Great Men ſeeing His Neceſſity to be ſupplied with ſuch Soldiers before His Paſſage, to recover His Rights beyond Sea, and for the Defence of *England*; had ordered, That thoſe who had an Hundred Shillings a Year Rent on this ſide *Trent*, ſhould find Men at Arms, beſides *Hobelors* and Archers, according to the Quantity of their Eſtate and Tenure, to go with the King at His Wages; or if they would not go in Perſon, to find others; or if not that, to pay the King what He could procure Men for. And ſo things were, and had been done, and no otherwiſe. Yet the King would not, that what was done in this Neceſſity, ſhould be made an Example for the future; as appears by His Letters-Patents.

* P. 47.

There were other Petitions from the *Commons*; which, ſince they are of no great Importance, I ſhall refer the Reader to * *Cotton's* Abridgment of them for his further ſatiſfaction. Then this Parliament, having ſat about 10 or 11 Days, was diſſolved. But we ſhall now look beyond Sea, and ſee what has been done in the mean while in *Gaſcoigne*.

We left the Duke of *Normandy* long ſince at the Siege of *Aiguillon*, [1]which he ſtill carried on, and had lately made a deſperate Aſſault upon it for a whole day, without any effect beſides the loſs of a great many brave men, and among the reſt of the young Lord *Philip*, eldeſt Son to the Duke of *Burgundy*; ſo that his men being grown weary of the Siege, his Father's peremptory Commands to raiſe it came very ſeaſonably to relieve him from the raſh Oath he had made, never to ſtir from thence till he had taken it: But before he would quit it, he ſent to the Pope for his Abſolution from his Oath, which was eaſily granted; and then by the advice of all the Lords about him, he rais'd the Siege, and marched away with his Forces in obedience to his Father's Commands. And this is, I muſt confeſs, a far more probable account of this Action, than what [2]ſome of our *Engliſh* Hiſtorians give of it, who make him to be ſo ſtraiten'd by the Earl of *Lancaſter* for want of Proviſions, that he ſtole away from his Army, and left them to ſhift for themſelves; which, being now without a Head, preſently followed him in that diſorder, that between the Earl of *Lancaſter's* Forces and the People of the Country, they were almoſt reduced to nothing. Which Story is altogether improbable to any that will conſider the Circumſtances of it, and how unſutable it is to the Character of the Prince on whoſe memory it reflects: Yet this much is certain, [3]that upon the Duke's marching off, Sir *Walter Menay* for a farewel ſally'd out upon the *French*, kill'd a great many of them, and brought forty Priſoners into the Caſtle.

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[1] Froiſ. c.134.

The Duke of Normandy *quits the Siege of* Aiguillon, *and marches towards his Father.*

Villani. l. 12. c. 60.

[2] H. K. Col. 2589.

[3] Froiſ. ib.

So ſoon as the Duke of *Normandy* had left *Gaſcoigne*, and was return'd to *Paris*, the [4]Earl of *Lancaſter* immediately reſolv'd to retake thoſe Places the *French* Duke had recover'd, and to carry on his Conqueſt as far as he could before the Winter came on; and to this end he immediately ſent his Summons to all the *Engliſh* Lords and Perſons of Quality, beſides ſuch *Gaſcoign* Noblemen who held of King *Edward*, the chief of whom were the Lord *D'Albert*, with others needleſs here to be nam'd: So that the Earl's Forces amounting in all to twelve hundred Men at Arms, two thouſand Archers, and three thouſand Foot, with this ſmall, but well compacted Army, he paſs'd the River *Garonne*, between *Bourdeaux* and *Blaye*, and marching towards *Xaintogne* came to *Mirabel*, which he took by Storm, both Town and Caſtle, and put therein a Gariſon of *Engliſh*; then he turned to *Mortaigne* by the Sea-ſide in *Poictou*, which he took by Aſſault, and gariſon'd alſo. From thence he rode to *Taillebourg*, and likewiſe took that Town and Caſtle, putting all he found to the Sword, in revenge of the death of a Knight of his, who was ſlain in the Aſſault. After this he advanced to *Annay*, *Surgieres* and *Benon*, all which he took; then he went and laid Siege to the fair Town of *St. John d'Angely*, and gave there a general Aſſault, which laſted till almoſt night; but the Gariſon being weak, the Mayor and greater part of the Burgeſſes deſired a Parly, which being granted, they agreed forthwith to ſurrender the Town and Caſtle, and ſwear Allegiance to the King of *England*, as long as He, or any for him could defend them. Then after three days ſtay to refreſh his Army, the Earl marched to *Luſignan*, which making ſome reſiſtance, he burnt, and afterwards took the Caſtle; but the ſtrong Town of *Niort* (after having made three vigorous Attacks, and being repulſed in every one

[4] Id. c. 136.

The E. of Lancaſter *muſters up an Army to recover the Places the Duke had taken.*

Marches towards Xaintogne, *takes* Mirabel, *&c.*

St. John d'Angely *ſurrender'd upon conditions, and other Places taken.*

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of them) he was forc'd to leave untaken; and then going on the Left-hand to *Bourg St. Maximiere*, he found better ſucceſs, for entring it by Storm, he put all to the Sword.

[1] Id. ib. *The People fly to the fortify'd Towns.*

Thus [1] the whole Country was ſo terrify'd with the very Name of this Earl of *Lancaſter*, that every man fled before him into ſtrong Holds and fortify'd Towns, forſaking their Houſes and their Goods: nor was there the leaſt preparation made to ſtop his career; for all Knights and other Captains kept cloſe in their Fortreſſes, without making the leaſt ſhew of fighting the *Engliſh*. Then the Earl went forward to *Monſtrevil* and *Bonnin*, wherein he heard there were no leſs than two hundred Coiners making Mony for the *French* King: the Inhabitants were reſolved by no means to yield; but to defend the Place to the laſt; but upon the Earls having encouraged his men by promiſing them that every one ſhould freely poſſeſs whatſoever they could light on in the Town when it ſhould be taken, a vigorous Aſſault was made by the whole Army, the Place enter'd by Storm, the Town plunder'd, and the Inhabitants put to the Sword, the Soldiers thereby obtaining a vaſt Booty. And here it is moſt likely (and not at *Bergerac*, as this Author makes it) that that remarkable Inſtance happened of the Earl of *Lancaſter*'s Honour and Liberality to his Soldiers, which *Walſingham* ſuppoſes to have been done at *Bergerac*. The Story in ſhort is thus: The Earl having (to encourage his Soldiers to take the Town) promiſed them, as you have already heard, that whatſoever Plunder they could take ſhould be their own, a common Soldier had the good luck to light upon a Houſe (I ſuppoſe one of the Mints) in which were ſeveral Sacks of coin'd Silver, beſides Bullion. The Man being ſurpriz'd at the ſight, having never ſeen ſo much Mony before, and thinking it above his deſert, ran immediately to the Earl, and telling him of it, deſired him to ſend ſomebody thither to ſeize it; but he was ſo far from doing it, that he told him, *the Houſe was his and all that was in it.* The Fellow returned to the Place, and upon a ſtricter ſurvey of the greatneſs of the Sum he had there found, was ſtill ſo modeſt, as thinking it above his Neceſſitys as well as his Fortune, he went again to the Earl, and ſpoke to him to the ſame effect as he had done before; to which the Earl again reply'd, *Prithee keep it, honeſt Soldier, it does not become me to give and take away a thing again like Children; go thy ways, it's all thy own, tho it were thrice as much.* Whether the Duke acted in this for his own or his Maſter's Intereſt, I will not diſpute; but this much muſt be granted, that it was done like a downright honeſt *Engliſh*-man.

The Earl takes Monſtrevil *and* Bonnin *by ſtorm, and in it a great deal of ready Mony.*

Ad An. 1345. *A generous Act of the Earl to a common Soldier.*

[2] Froiſ. ib. *He takes the City of* Poictiers *by a ſudden Aſſault.*

[2] The Earl having repair'd the Fortifications of this Place, return'd homeward to *Bourdeaux*, and taking the City of *Poictiers* in his way, ſate down before it; but not having Forces enough to make a formal Siege, he was reſolved to try what he could do by two or three brisk Aſſaults at one and the ſame time: So having ſurvey'd the Town, and found the weakeſt part of it, to amuſe the Beſieged he order'd two brisk Attacks to be made at once upon thoſe places which were beſt fortified; and whilſt the Gariſon was wholly taken up in defending them, he in the mean while with a third Party of choſen men aſſaulted that part which was weakeſt, and finding it but meanly guarded (for there was no experienced Officer in the Place to give Orders) the

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Engliſh eaſily ſcal'd the Walls, and made themſelves Maſters of it; moſt of the Inhabitants as ſoon as the Town was taken eſcap'd away at ſome of the Gates which were not in the Enemy's poſſeſſion. Here the Soldiers alſo got a vaſt deal of Plunder, both in rich Commodities and Gold and Silver, inſomuch that they ſcarce thought any thing elſe worth carrying away.

Which after he had plunder'd, he quits.

The Earl having ſtaid here about twelve days to reſt himſelf and his men, and finding he had not Soldiers enough to gariſon ſo great a City, quitted the Place, without doing it any other damage than plundering it of all that was conſiderable: but not long after, [1] the Inhabitants that had eſcap'd returned thither again, and new fortified and gariſon'd the City; and then in revenge they marched out to ſurprize *Luſignan*, at which Place making an Attack, tho they were thrice as many in number as thoſe that defended it, they were repulſed with great loſs; and their Captain being ſlain, they were forc'd ſhamefully to retreat. And beſides theſe great Succeſſes in *Gaſcogne*, [2] the ſtrong Town of *Larnon* in *Bretagne* was now betray'd to the *Engliſh* by the Governor of it.

The K. of Scots *inclining to make War upon* England, *K. Edw. ſends Ambaſſadors to divert him from it.*

Nor had King *Edward* leſs Succeſs in *Scotland* this Year than in *France*; for whilſt he lay at the Siege of *Calais*, [3] *David* King of *Scots* being encouraged by the late Embaſſy and Forces ſent him by the *French* King, inclin'd to renew the War with *England*, notwithſtanding the Truce that had been lately made: of which King *Edward* having intelligence, preſently diſpatch'd the Lords *Moubray*, *Roſs* and *Lucy*, Commanders of great experience, either to perſuade the *Scotiſh* Prince to a juſt and punctual Obſervation of the Truce, or (if he would not be brought to it) to help to defend *England* againſt him. Theſe Ambaſſadors are ſaid by the *Scotch* Writers to have offer'd King *David* in their Maſter's Name, not only to deliver into his Hands the ſtrong Town and Caſtle of *Berwick*, but even the Perſon of his old Competitor King *Baliol*, for whoſe ſake the War was firſt begun betwixt them; on condition that *David* would reject the Motions of the *French* King, and agree to obſerve the Truce, as both in Honour and Equity he was bound. Theſe Offers (if the *Scotch* Authors do not a little enlarge upon them, as it ſeems very likely, particularly in that which relates to the delivery up of *Baliol*) being propounded to the King of *Scotland* in his Council, cauſed the moſt prudent of them to adviſe their Maſter in no wiſe to reject them, ſince the Friendſhip of a Conqueror, eſpecially on Conditions both honourable and advantageous, was more preferable than to abet the weaker ſide, both againſt Equity and Profit. But King *David*, out of the great affection he bore to the *French* King (to whom he had ſuch mighty obligations) and the major part of his Nobility being ſuch as had either younger Heads, or more daring Hearts, or elſe who were ſway'd by the Prince's Example, or the Gold of *France*, were all deſirous to take this opportunity, now the Flower of the *Engliſh* Forces were in *France*, to revenge themſelves on their antient Adverſaries: and thus under pretence of Gratitude to King *Philip*, they were fatally drawn in to condeſcend to his unjuſt and hazardous Requeſt, and reject King *Edward*'s more ſafe and advantageous Propoſals.

K. David *rejects his Propoſals.*

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[1] Villani. l. 12. c. 76.

[2] Rob. Aveſ.

[3] Hect. Boeth. l. 15. Buchan. l. 9. ad hunc An.

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[1] Froiſ. c.137.
A War reſolv'd on in the Scotiſh *Parliament.*
A great Army raiſed, which marches into England.
[2] H. K. T. W.
The Scots *take* Lidel, *and put the Governor, &c. to death.*

Wherefore [1] in a Parliament of all the Prelats, Earls and Barons of *Scotland*, which was held at *St. Johns-town*, it was concluded, that a War with *England* ſhould be immediately undertaken, and an Army was forthwith appointed to be raiſed, and a general Rendevouz to meet at the Place laſt mention'd, at a day prefix'd; ſo that by the latter end of *September* a great Army of near fifty thouſand men was in Arms, and they marched into *England* about the beginning of *October*, being commanded by the King in Perſon: and paſſing by the Caſtle of *Roxburg* without troubling themſelves to beſiege it, as being too ſtrong, [2] they advanc'd forward to that of *Lidel*, which being taken by ſtorm, thoſe in the Gariſon were all put to the Sword, and the Governor Sir *Walter Selbey*, who had his Life given him by the Knight that took him, was notwithſtanding (if we may give credit to our *Engliſh* Hiſtorians) cruelly put to death, together with two of his Sons, who firſt were ſtrangl'd before their Father's face. But I will not aver the truth of this Relation, being ſenſible how much our *Engliſh*, as well as the *Scotiſh* Writers, do all they can to blacken their Enemies, and excuſe their own Nation.

[3] H. K. Col. 2590.
They approach near Durham, *where the Monks compound not to plunder their Tenants.*
K. David *takes up his Quarters in* Bear-Park.

However from hence the [3] *Scotiſh* Army marched forward, ſpoiling the Country, and not ſparing the very Churches and Monaſteries, till they came near the City of *Durham*; and there having deſtroy'd many of the Farms belonging to that Abby, ſome of the Monks who were taken Priſoners made a bargain for themſelves and the reſt of their Fraternity, that upon the payment of a thouſand Pounds Sterling the next day, the *Scots* ſhould forbear ſpoiling the reſidue of their Mannors and Tenants; but all others they made pay three Pence a Head for their Lives, and ſuch as were not able to do it, were put to the Sword. In this manner they went on to *Bear-Park*, not far from *Nevil's Croſs* near *Durham*, where King *David* took up his Quarters, ſince he heard that the *Engliſh* were coming towards him with a great Army.

[4] Froiſ. c.138.
Q. Philippe *ſummons the Nobility, and with a conſiderable Army marches in Perſon againſt the* Scots.
The manner of drawing up the Engliſh *Army.*

For [4] Queen *Philippe* hearing of the Invaſion intended by the *Scots* King, was now advanced as far as *York*, whither having ſummon'd all the Prelats and Peers that were left in *England*, there was in a little time got together not only a good appearance of Nobility, but likewiſe of brave Captains and Officers; ſo that they were not long before they muſter'd an Army of about ſixteen thouſand able men, at the head of whom the Queen went in Perſon againſt the *Scots*, being attended by the Archbiſhops of *Canterbury* and *York*, with divers other Biſhops and Clergymen, who then came to fight for their Country. When the *Engliſh* Army that had marched from *York*, came within three miles of *Durham* (*Froiſſart* ſays *Newcaſtle*, but that is a miſtake) and approached near that of the *Scots*, the former were drawn up in four Bodies; the firſt of which was commanded by the Lord *Henry Piercy* General of the whole Army (yet he was not Earl of *Northumberland*, as *Hector Boethius* falſly ſtiles him) who was accompany'd by the Bp of *Durham*, the Earl of * *Angus*, and divers other Noblemen of the North: The ſecond Body was headed by the Archbiſhop of *York*, the Biſhop of *Carliſle*, and the Lord *Nevil*, with ſome other Noblemen: The third was led by *Thomas Beck* Biſhop of *Lincoln*, aſſiſted by the Lord *Mowbray* and Sir *Thomas Rokeby* High Sheriff of *Yorkſhire*: The fourth and laſt Battalion was led by *Edward Baliol*

* *Note, his Name was* Umphreville, *who having taken part with the* Engliſh, *had bin formerly driven out with* K. Baliol.

Baliol titular King of *Scotland*, with whom were the Arch-Biſhop of *Canterbury*, the Lord *Roſs*, and the Sheriff of *Northumberland*, with divers others. Theſe four Battalions conſiſted of about four thouſand men apiece, each having a proportionable number of Archers and Men at Arms (under which Title the Horſe are ſtill reckon'd by our *Engliſh* Hiſtorians.) But beſides theſe, the Lords *Deincourt* and *Ogle* and ſome other Gentlemen with a ſtrong Party were appointed to guard the Queen's Perſon, who early in the morning before the Fight mounting on a white Horſe, rode from Body to Body, and from Troop to Troop, and in a few very pathetick and obliging Words deſired them to do their utmoſt to defend the Honour of her Lord the King, as well as the Lives, Liberties and Fortunes of themſelves and all that were dear to them. This done, having recommended her People to God, ſhe retired from the Place of Action at ſome diſtance. This is according to *Froiſſart's* Relation of this buſineſs; but all our *Engliſh*, as well as *Scotiſh* Hiſtorians, ſay nothing of the Queen's being preſent, or having any thing to do at this Battel, or what follow'd it.

The Queen rides into the Army, and encourages her men.

But to come to the buſineſs, it is fit I ſay ſomething in what manner the *Scotiſh* Army was drawn up, which [1] being divided into three Battalions, the firſt was conducted by the Lord *Robert Stuart* Son of King *David's* eldeſt Siſter, with whom was the Lord *Patrick Dunbar* Earl of *March*: The ſecond was commanded by *John Randolph* Earl of *Murray*, and *William* Earl of *Douglas*; and the third the King led himſelf, having with him beſides the *French* Auxiliaries, the Flower of the Nobility of *Scotland*: Yet *Buchanan*, by I know not what Authority, contradicts *Hector Boeth.* and gives the firſt Battalion to the Earls of *Murray* and *Douglas*, the middle to the King, and the laſt to the Lord *Robert Stuart*, and *Dunbar*. In the ſame prepoſterous manner likewiſe do the *Scotch* Hiſtorians divide the *Engliſh* Army, contrary to what we have already ſet forth from our own Hiſtorians, who underſtood that matter much better than they could do.

How the Scotiſh *Army was diſpoſed.*

But [2] before the two Armies approached near each other, Earl *Douglas* by the King's Command rode forth with a flying Party of Horſe to diſcover the Enemy, and as occaſion offer'd, to ſkirmiſh with them; but coming ſuddenly upon them, before he was aware, he was received ſo ſharply, that being put to flight, he loſt five hundred of his beſt men, narrowly eſcaping himſelf to the main Body. Preſently after which the *Engliſh* Army was ſeen to advance; whereupon Sir *David Graham* a valiant Baron of *Scotland*, with another Detachment of five hundred Horſe, gave a brisk charge upon the left Flank of the *Engliſh* Archers, hoping to diſorder and overrun them: but he was miſtaken, for they receiv'd him with ſuch a Shower of Arrows, that after two or three Attempts in vain, having loſt many of his men, he was alſo forc'd to fly back to the main Battel upon the Spur, in great danger of being taken by his Purſuers.

The E. of Douglas *going out upon the diſcovery, is put to flight, as is alſo Sir* David Graham*'s Detachment.*

Yet theſe unlucky beginnings did nothing at all abate the Courage of the *Scotiſh* King, who was both young and valiant; and becauſe he had never yet fought himſelf in a ſet Battel, he hoped he might be no leſs fortunate and victorious than King *Robert* his Father; [3] therefore he commanded to ſound a Charge, and the Lord *Robert Stuart* preſently join'd the *Engliſh* Van. The Fight beginning (as was uſual) with

The Scotiſh *King is not diſcourag'd at this, but commands to ſound a Charge.*

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[1] H. Boeth. l. 15.

[2] Id. ib.

[3] Id. ib.

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The Scots *at firſt behaving themſelves bravely, the* Engliſh *had the diſadvantage, till K.* Baliol *advancing with* 4000 *Horſe, turns the Scale.*

with a thick Shower of Arrows, from the *Engliſh* Long-bows, as well as the Croſs-bows of the *Genoueſes*, the former had the advantage, ſince their Vollies laſted longer, and reached further than their Enemies; but the Lord *Robert* reſolving to fall preſently to handy Strokes, he preſs'd forward on the *Engliſh* Archers, who were forc'd to open to the Right and Left to let him paſs thro, when he fell upon the Lord *Piercy*'s main Body: and thus they maintain'd the Fight with great Bravery and Courage, [1] the *Scots* manfully laying about them with their ſharp Battle-Axes and broad Swords; ſo that for a while the *Engliſh* were very hard put to it, which when King *Baliol* ſaw, knowing that the chief Strength of the *Scots* lay here, and not doubting but if the *Engliſh* could prevail in the beginning of the Fight, it would add Courage to them, and Terror to the Enemy, he reſolved to fall on this Blow; and briskly advancing with four thouſand Horſe on a round Trot, fell in upon this Body commanded by the Lord *Robert*, and they being before pretty equally match'd, were now ſo diſpirited by this freſh Reinforcement and Aſſault, that they preſently gave ground, and began to retire; which being obſerv'd by their Commander, he thought it beſt not to urge them too far, but to make a wiſe Retreat before it was too late. This was done without any very conſiderable loſs, and it had been well for the King if he had done ſo likewiſe, ſince he might then have reſerv'd himſelf and his Army until ſome better Opportunity.

The King diſdains to follow them.

But King *David* diſdain'd to follow thoſe whom now he looked upon not as Cowards, but Traitors and Deſerters; for he was jealous that his Nephew *Robert* retreated thus with a deſign that he ſhould be cut off, that ſo the Crown might fall to him as next Heir: wherefore the King now fought with the more reſolution, being fully determin'd either to repair this fault, or not to ſurvive it: but at that inſtant his Adverſary King *Baliol* having clear'd his hands of the firſt Battalion of the Enemy, whom he thought not fit as yet to purſue, came in with his freſh Troops, and charged King *David*'s Battalion in the Flank, whilſt the *Engliſh* Van at the ſame time preſſing hard upon him in the Front, the late Diſaſter ſo diſcouraged the *Scots*, that they were not longer able to hold out, but began by degrees to give back, and at laſt were wholly put to the Rout. The *Engliſh* fell furiouſly on thoſe who kept the Field, yet durſt not hazard the Victory by an inconſiderate and raſh purſuit, ſince they fear'd that the Lord *Robert Stuart* and the Earl of *March* might ſtill hover thereabouts in a conſiderable Body.

He is charged by K. Baliol, *and his Battalion routed.*

The Scotiſh *K. after a gallant Defence is taken Priſoner by* John Copland.

But as for King *David*, [2] he fail'd neither in the Duty of a good Captain or a valiant Soldier, but more than once rallied his diſorder'd Men, and encourag'd them both by his Words and Example; ſo that thoſe who were neareſt him were aſham'd to forſake ſo gallant a Prince, and therefore they held for ſome time together cloſe in a Ring, fighting deſperately till not above eighty of them remain'd alive with the King, who for his part being ſenſible of the unhappy event of the Day, and not willing to outlive ſo many of his Nobility and other loyal Subjects, preſs'd forward to meet the like Fate; when an Eſquire of *Northumberland* named *John Copland*, who knew him to be the King, ſtept forward with one hundred Men at Arms, whom he himſelf had brought into the Field, and bad him ſurrender himſelf, which

[1] Froiſ. ib.

[2] H. Boeth. ib.

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which he at firſt refuſed, unleſs it were to ſome Perſon of great Quality, till *Copland* told him he was a Baron; which the King believing, gave him his Gauntlet in token that he was his Priſoner, and ſo ſurrender'd himſelf. But tho the *Scotch* Hiſtorians relate for their King's Honour, that he was taken Priſoner in the Battel, yet [1] one of ours who lived and wrote nearer to thoſe Times, gives us a different and more probable account of this matter; as that the King ſeeing the Day loſt, and being wounded by an Arrow, endeavour'd to eſcape by flight, but being purſued by this valiant Eſquire, who knew him, was taken Priſoner near a Place called *Merrington*, and that ſo privatly, that he carried him off to his own Caſtle before it was known what was become of him, as you will hear further anon. But to make an end of this Battel,

[1] H. K. col. 2591.

Our Engliſh *Hiſtorians relate he was taken Priſoner in his flight.*

[2] So ſoon as the *Scots* third Battalion was thus overcome, their ſecond alſo, as well by their diſcouragement from the ill Succeſs of their Fellows, as by the Valour of their Oppoſers, was put to flight. Few eſcap'd of this Battalion, in which [3] the Earl of *Murray* the Commander of it was kill'd, with a great number of the Nobility of *Scotland*, beſides common Soldiers; and their other Leader *William* Earl of *Douglas* was taken Priſoner: So that the *Engliſh* here gain'd an entire Victory, and had they join'd in a cloſe Purſuit, and not been diſtracted in taking Priſoners and Plunder, that Day had put an end to that long and fatal Contention between the two Nations. This cruel Battel, which *Froiſſart* miſplaces at *Newcaſtle* upon *Tine*, was fought not far from *Nevil's Croſs* near *Durham*, as all our Authors agree, who rightly place it on the ſeventeenth of *October* being St. *Luke*'s Eve; and it continued in all three hours, from Nine in the Morning until high Noon. And tho [4] *Knyghton* ſays that the *Engliſh* loſt but four Knights and five Eſquires, yet beſides theſe many of the common Soldiers muſt likewiſe have fallen; for *Froiſſart* with greater certainty relates, that this Victory was not gain'd without the loſs of many Lives on the *Engliſh* ſide, of whom the moſt conſiderable was the Lord *Haſtings*, who dy'd of his Wounds.

[2] H. Boeth. ib. *The Defeat of the ſecond Battalion of the* Scots; *Death of the Earl of* Murray, *&c.*

[3] T. W.

The great Battel of Nevils Croſs, Oct. 17. *coſt the* Engliſh *a great number of men.*

[4] Ibid.

[5] But on the *Scotiſh* ſide the King himſelf was then taken Priſoner, together with ſix Earls, two Biſhops, divers Barons, and many others of leſs note: but there were no leſs than fifteen thouſand, or as others ſay, twenty thouſand ſlain upon the Place; the chief of whom were the Earls of *Murray* and *Stratherne*, the Lord *David Hay* Conſtable of *Scotland*, the Lord *Keithe* Marſhal, the Lord *Straqutrin* the Chamberlain, together with the Chancellor of *Scotland*.

[5] H. K. ibid. *The loſs on the* Scots *ſide.*

As for the King of *Scots* himſelf, the Gentleman that took him immediately convey'd him to the Caſtle of [6] *Ogle*, of which he was Governor, being reſolv'd not to truſt ſo noble a Prey in any body's hands but his own. The Queen remain'd in the Field until Evening, when moſt of the *Engliſh* Officers and Soldiers returned from the purſuit of the *Scots*: But all the reſt of that day, and the Night following, the *Engliſh* Army kept the Field, as well for their greater Honour, as for the ſecurity of their Friends, many whereof were ſtill in the chace; but the Queen had Lodgings provided for her in the City of *Durham*, where hearing that the King of *Scots* was in the Cuſtody of *John Copland*, ſhe diſpatch'd a Purſuivant to him with Commands to bring his Priſoner to *Durham*, and gently to tell him, that he had not

[6] Froiſ. c. 139. *This Author calls it* Chaſtel Orgueilleux; *but there was never any ſuch Caſtle in* England.

Copland *carries the K. of* Scots *to the Caſtle of* Ogle.

The Q. ſends for him.

done

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Copland *refuſes to bring him.*

At which the Queen being incens'd, writes to the King.

done well in carrying him out of the Field. To which Meſſage he return'd a very reſolute Anſwer, *That as for the King of* Scots, *he would be anſwerable for his ſafe-keeping, but would deliver him to no body, except to his Sovereign Lord the King, or his expreſs Orders.* With which Meſſage the Queen was very angry, and wrote immediately to her Husband to give him an account of her late Victory, and of the King of *Scots* being detain'd by one *Copland*, contrary to her Commands, and to know what He would pleaſe to have done with him, who had thus inſolently preſum'd to diſobey her; but what the Succeſs of this Affair was, you will find preſently.

[1] H. Boeth. ib.

K. Baliol *and the* Engliſh *Lords carry on the War againſt the* Scots.

After this the Queen returned from *Durham*, [1] leaving King *Baliol* and other *Engliſh* Northern Lords to proſecute the War with *Scotland*; who forthwith entring the Country with Fire and Sword, took the ſtrong Caſtle of *Hermitage* (for *Roxburg* was in the *Engliſh* hands before) and without any reſiſtance ſubdu'd the Countries of *Anandale* and *Galloway*, with the Marches *Tividale*, and *Etkrick* Foreſt, extending their Arms as far as *Cockburn-Peke* and *Sowtray-Hedge*, without meeting any Oppoſition. And indeed it happened well for *Scotland*, that King *Edward* with the Flower of the *Engliſh* Forces was then beyond Sea; for had they been now in *England*, it is very probable the *Scots* would have been as intirely ſubdu'd as they were in King *Edward* the Firſt's time. But we ſhall now look over into *France*.

[2] Froiſ. c. 139.

Copland *is ſent for over to the King.*

[2] When King *Edward* had receiv'd the Queen's Letter, he ſent for *Copland* to come over to him to *Calais*, who leaving his Royal Priſoner in the Cuſtody of the Lord *Nevil*, immediately obey'd his Majeſty's Commands, and ſo going over to him, was graciouſly receiv'd. But yet He queſtion'd him why he had not obeyed the Queen's Orders in the delivery of the King of *Scots* to her. To which (kneeling down) he anſwered to this effect, "That he hoped none would "envy his good fortune in taking ſo great a Perſon, ſince God may "afford it to an ordinary Eſquire as well as the greateſt Lord: That "he ow'd Allegiance to none but his Majeſty, and was only to obey "thoſe who were immediately commiſſioned by Him. At which Anſwer the King was ſo far from being diſpleas'd, that He not only thank'd him for what he had done; but [3] as a Reward of his good Service, and further encouragement to proceed, He promiſed him a Grant of Lands to the value of five hundred Pounds *per Annum* to him and his Heirs for ever; and till it could be ſettled, made it payable out of the Cuſtoms of *London* and thoſe of *Berwick* upon *Tweed*; and it appears upon * Record, that he was then made a Banneret.

[3] Stow Chron. p. 243.

Who is ſatisfied with his Anſwer, and rewards him.

* Ex Recordo *cited by* Stow, ibid.

[4] H. K. ibid.

The King having ſent Sir *John Copland* (for ſo we muſt now call him) [4] with expreſs Orders to all the High Sheriffs and others, that no *Scots* Priſoners ſhould be delivered for any Ranſom whatſoever, but that they ſhould all be kept in ſafe Cuſtody, and the King himſelf would ſatisfy all thoſe who took them, for their Redemption. Then [5] Sir *John* being return'd into *England*, went to *York*, where the Queen at that time was, and made his excuſe before her and the Council in ſo dutiful and diſcreet a manner, that they were all very well ſatisfy'd with his Conduct in that Affair; and immediately gave Orders how, and in what manner the King of *Scots* ſhould be convey'd to the Tower of *London*, which was thus performed: Sir *John Copland* went

[5] Graft. Chron. p. 280.

Sir John Copland *attends the Queen, and excuſes himſelf as to what he had done.*

went home to his Caſtle of *Ogle*, and muſter'd up his Friends and Tenants, who together with the Militia of the Northern Shires, made up near twenty thouſand fighting men; with whom Sir *John*, and the Lords *Nevil* and *Piercy* convey'd him to the Limits of *Yorkſhire* [1], where on the twentieth of *December* he was delivered to Sir *Thomas Rokeby* then High Sheriff of that County, who receiv'd him from the Lord *Nevil* by Indenture: and then Sir *Thomas* with the Forces aforeſaid conducted the King to *London*, where being mounted on a ſtately Horſe, he was received by the Lord Mayor and Aldermen, and all the Companies in their Formalities, with great ſolemnity, vaſt Crowds of People following him, and infinite numbers from the Windows and tops of Houſes beholding this triumphant Spectacle.

[1] Rot. Scot. 28 E.3. m.2.

The *Scotiſh* King being thus conducted to the Tower, was by Sir *Thomas Rokeby* delivered by [2] Indenture, dated the ſecond of *January*, to the Lord *Darcy* Conſtable of the Tower, and was there kept in ſafe, but reſpectful Cuſtody, whilſt the reſt of his *Scotiſh* Priſoners of Quality were diſpos'd of in other Places; only in [3] *February* following *John* Earl of *Mentieth*, for as much as he had done Homage, and ſworn Allegiance to the King of *England*, and had now contrary to his Oath and Duty, broken his Faith, and taken up Arms in behalf of *David Bruce* againſt the Kings *Edward* and *Baliol*, was by the command of the former indited of *High Treaſon*, and thereupon was arraign'd, condemn'd, hang'd and quarter'd: as did likewiſe the Earl of *Fife* at the ſame time and for the ſame offence ſuffer the like Puniſhment.

[2] Rot. Clauſ. 20 Edw. 3. P.2. M.2.Dorſ.

He is deliver'd to the Conſtable of the Tower.

[3] H. K. Col. 2592.

The Earls of Mentieth *and* Fife *executed as Traitors.*

The Reader may take notice that the bringing of the King of *Scots* to *London* did not happen until preſently after Chriſtmas, nor did the Execution of theſe Noblemen; and ſo (according to our Account) they do properly belong to the next Year; tho not to make any breach in the *Scotiſh* Affairs, I have put them altogether in this Place.

[4] Queen *Philippe*, after ſhe had given good Orders for the defence of the Caſtles and other Frontier Towns in the Marches of *Scotland*, and appointed the Lords *Piercy* and *Nevil* Guardians of them, returned from *York* to *London*; from whence being accompany'd with the Ladys of the beſt Quality, ſhe preſently took her Progreſs to *Dover*, and there going on Shipboard arrived at *Calais* the ſame day, where ſhe was welcom'd by the King with much joy and ſatisfaction: But he ſtill carried on the Siege with great Conſtancy and Vigour, inſomuch that the Beſieged not being able to receive any Relief, began to be in mighty want of Proviſions; but they were plentifully ſupply'd in the *Engliſh* Camp both by Sea and Land; ſo that the King kept a moſt magnificent Court and Feſtivity in his Camp during the Chriſtmas Holidays.

[4] Froiſ. c. 139.

Q. Philippe *having ſettl'd the North, returns to* London, *and after paſſes over to* Calais.

But before we end this Year, we ought to ſay ſomewhat more of the Civil Affairs that happen'd a little before this time, notwithſtanding the War. Overtures were made by his Holineſs to the King lying before *Calais*, towards the compoſing of all Quarrels; inſomuch that, by the [5] earneſt Mediation of the Cardinals of *Naples* and *Cleremont* (the Pope's Legates) five days after the Battle of *Durham* a Commiſſion was iſſued out to *William* Marqueſs of *Juliers*, *William* Earl of *Northampton*, *Thomas* Earl of *Warwick*, and divers other

[5] Rot. Norm. 28Ed.3.m.18.

The King grants a Commiſſion to the Marq. of Juliers, *&c. to treat of Peace with the Commiſſioners of* France.

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Lords and Doctors of Law, to treat and conclude with the ſaid Cardinals, of and upon all Quarrels and Controverſies depending between the King, and the Lord *Philip* of *Valois* and their ſeveral Allies: But we ſhall ſay no more of this Meeting, becauſe it took no effect, the *French* Conceſſions being no ways anſwerable to King *Edward*'s Demands.

[1] H. K. ib.

[1]About the end of this Winter, the Earls of *Lancaſter* and *Pembroke*, with ſome of the chief Noblemen and Officers who had ſerv'd againſt the *French* in *Gaſcogne* the laſt Campagn, having put the King's Affairs in thoſe Parts in ſo good a Poſture, that there was no fear of what the Enemy could do farther this year, took ſhipping for *England*; but in their Paſſage home they were in great danger of being caſt away by a violent Storm; but that ceaſing, at laſt they all arrived in ſafety.

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[2] J. Tinmuth. Hiſt. Aut. ad hunc An. Odoric. Reyn. ad hunc An.

The effect of the Pope's Letter to the King, exhorting him to Peace.

King *Edward* having now cloſely blockt up and beſieged the Town of *Calais*, paſſed his Chriſtmas before it; and during this Blockade, King *Philip* not being able to raiſe the Siege by force, procured the [2] Pope to write King *Edward* a very preſſing Letter to exhort him to make Peace with the King of *France*; being much to the ſame purpoſe as ſeveral of his former, complaining, "how much the Infidels "had gain'd over the Chriſtians during this unhappy War; and then "blames the King for not admitting the Mediation of the Cardinals "his late Legates for a new Treaty of Peace, as they earneſtly de"ſir'd: and he again exhorts him to renew the ſaid Treaty, that a "Peace being made between the two Kings, he (meaning *Ed*"*ward*) might ſhew his puiſſant Valour againſt the Infidels in the "Eaſt. This was dated at *Avignon*, XVIII *Kal. Feb.* or 16*th* of *January*.

[3] Id. ib.

The King's Anſwer and Defence of himſelf.

To this [3] Letter the King not long after ſent a very rational and handſom Anſwer to this effect: "That he was ſtill, as he had always "been, deſirous of a Treaty of Peace, for the benefit of Chriſten"dom, as appeared by the ſeveral Truces he had made upon his "Holineſs's Mediation, tho they had been broken by his Adverſary: "So that a final Peace was impoſſible to be brought about whilſt "*Philip* of *Valois* had not only invaded and detain'd from him his "juſt and hereditary Rights, but alſo had endeavour'd to invade "*England*, and had excited and maintain'd the *Scots* in their late "War againſt him; and therefore he now committed his Quarrel "into the hands of God, who had ſo lately declar'd for him by ſeve"ral great Victories, for which he returns him humble thanks, ſince "they were not obtain'd by his own Strength and Power. Then he "concludes with his earneſt deſires to the Pope, as Chriſt's Vicar on "Earth, and who therefore ought to be equal and indifferent towards "all men, that he would receive due Information concerning the afore"ſaid Objections, and uſe his endeavours that the ſaid Adverſary of "*France* may be brought to acknowledg and make ſatisfaction for "the Wrong which in this particular he had done him; but eſpecial"ly that he may receive no Aid nor Countenance from his Holineſs "in this his injurious dealing: otherwiſe he (the King) ſhould be "forc'd to appeal to the ſupreme Judg of Judges, who for a time "may permit wrongs to be done for the Sins of Mankind; but in "the end redreſſeth the ſame, neither leaving any good Deed unre-

"warded,

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“ warded, nor evil ones unpuniſhed, and whom he moſt humbly “ prays to be a true and impartial Judg in this great Controverſy, *&c.* This was dated before *Calais* the ſixteenth of *March*, according to *John* of *Tinmouth*'s Copy; but the date of this Letter is not expreſs'd in *Odoricus Raynoldus*, tho he recites it at large, and in his Obſervations upon it ſhews himſelf very partial to the Pope, and unjuſt to the memory of this Great Prince, whom he blames for not accepting of a Peace upon the Pope's terms, and not making War where he would have him; which he calls, *preferring his own Intereſt before Religion, and that he was an Enemy to Chriſtian Piety*; *whoſe unhappy Death*, he ſays, *was anſwerable to his Life; and that in the end he was deſpiſed of God, as he had deſpiſed him in the Perſon of his Vicegerent.* Which certainly is a very raſh Cenſure, and ſhews that he had never fairly conſider'd the King's Reaſons contain'd in this Epiſtle, when he imputes the King's declining in Succeſs, as well as Underſtanding towards the latter end of his Life, and his Death above thirty years after, to be a Judgment of God upon him, for not abſolutely ſubmitting himſelf and his Cauſe to the Pope's determination. But it is the conſtant practice of the Eccleſiaſtical Writers of the *Romiſh* Church to defame all ſuch Chriſtian Princes, who have not made themſelves abſolute Slaves and Vaſſals to the See of *Rome*, and blindly ſubmitted themſelves to her Determinations. But to return to our Hiſtory.

Hiſt. Aurea ib.

Raynoldus *his Partiality againſt* K. Edward *remark'd.*

The French *King holds an Aſſembly of the Eſtates.*

Du Serres in hunc An.

When the *French* King ſaw there was no hopes of a Truce, or Peace by the Pope's means, he reſolved to take a more efficacious Courſe for the defence of his Kingdom againſt King *Edward*, and if it were poſſible, to relieve the Town of *Calais* before it was too late; and to this end he call'd an Aſſembly of his Eſtates to *Paris*, who met upon the five and twentieth of *March*, to aſſiſt him with their Purſes as well as their Advice: In which Aſſembly it was agreed, to call the old Treaſurers, and other Great Officers and Miniſters of State to an exact account for abuſing their Places, and embezeling and converting to their own uſe the Taxes and the other King's Monys they had been entruſted with; and to levy of all ſuch Offenders, Fines and Mulcts proportionable to their Offences; and for the future to refer the Government of the Treaſury to the moſt eminent Perſons of the Glergy and Nobility, thereby to free the People from ſuſpecting, that their Contributions were any more like to be ill imployed. Whereupon Monſieur *Peter* of *Eſſars*, Treaſurer of *France*, was thrown into Priſon, and condemned in a vaſt Fine to the King; and together with him many other Great Officers (whether juſtly or unjuſtly, I will not diſpute) were forc'd at once to part with what they had been divers Years heaping together. Then the *Lombards* and other Uſurers were called to a ſtrict account for all their unjuſt exactions upon the poor Subjects; and where the Intereſt exceeded the Principal, the former was adjudged forfeited to the King, and the latter remitted to the Debtor, or if actually paid, was to be reſtored to him, and all Obligations for ſuch Monys were declared void; and yet the Perſons of ſuch Uſurers were not releaſed out of Priſon till they had paid large Fines to the King. Beſides all which, this Great Aſſembly unanimouſly voted to aſſiſt the King with their Fortunes to the utmoſt, for the maintenance of his Crown and Dignity:

The Treaſurer of France *impriſon'd and fin'd.*

The Lombards *forc'd to remit the Intereſt payable by their Debtors.*

Aſſembly of Eſtates vote they will aſſiſt their King to the utmoſt.

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nity: Wherefore beſides the uſual Taxes, they alſo raiſed great voluntary Contributions among themſelves, according to their Qualitys, Eſtates and Offices, and ordain'd the like thro the whole Kingdom; and the Clergy alſo ſet a general Tax upon themſelves; nor were they ſhy to make bold with what Sums had been gather'd thro *France* for the Holy War, beſides the Plate, Shrines, and other Riches of Abbies and Monaſteries; by which means a vaſt Sum of Mony was levied, with which King *Philip* raiſed a puiſſant Army for the relief of *Calais*, as you will find anon.

[1] Froiſ. c. 140. *The* Flemings *beſiege* Bethune, *but are repuls'd.*

I ſhall give you a ſhort account of what was done in the mean while in *Flanders*, where the *Flemings* ſtill continuing firm to King *Edward*'s Intereſt (whilſt he was yet in *Normandy*) ſome time before the Siege of *Calais*, [1] raiſed a powerful Army under the Conduct of Sir *Edward de Renty* a *French* Knight (lately baniſh'd thence by King *Philip*) who went and laid cloſe Siege to *Bethune*, a Town of *Artois*; but the Place was ſo well defended by the Lord *Charny* and other Commanders, that they were repuls'd with loſs. After which the *French* King, to buy off the *Flemings* from ſiding with King *Edward*, made them large Promiſes, and offer'd them very advantageous Conditions, as not only to procure the Pope's Excommunication againſt them to be taken off, but alſo to reſtore the three Towns which he had taken from *Flanders*, with other Conditions needleſs to be here recited.

[2] Id. ib. *Which being refuſed, they propoſe a Match between their young* E. Lewis, *and* K. Edward's *eldeſt Daughter.*

The E. *of* Flanders *ſent home by the* French King, *refuſes the Match with* England.

Makes the Flemings *believe he is contented with the Match; but getting his Liberty, eſcapes into* France.

[2] But all theſe fair Offers ſeeming rather to be extorted by Neceſſity, than to proceed from any good will, were rejected; and King *Edward* did the more prevail by propoſing a Match between the Lady *Iſabella* his eldeſt Daughter (then about fourteen years of Age) and their young Earl *Lewis*, only Son to *Lewis* late Earl of *Flanders*, who fell in the Battel of *Creſſy*. This Propoſal was very well accepted by the *Flemings*, who thereupon ſent certain Envoys to King *Philip*, to deſire him to ſend home their young Earl, for that they ſhould receive him for their Lord. Then King *Philip*, by the perſuaſion of the Duke of *Brabant*, who alſo propoſed his own Daughter for the young Earl (with a promiſe to bring over the *Flemings* to his Intereſt) ſent the Earl home, where he was at firſt well enough treated by his half Subjects; but when he abſolutely refuſed the Match they propos'd to him, as being the Daughter of that Prince who had ſlain his Father in Battel, the *Flemings*, upon the arrival of the *Engliſh* Embaſſadors, to make their Earl more flexible to the Match (which was by them again propoſed) confin'd his Perſon in the Town of *Courtray*: but the young Prince finding it in vain openly to oppoſe their Deſigns, and having learnt ſome cunning by dear-bought Experience, made them believe that he was now very well ſatisfied with the Match; of which King *Edward* and his Queen (then lying before *Calais*) having had notice, they brought their Daughter to the Abby of *Bergues*, where they were met by the young Earl, attended by the chief Burgeſſes of the Cities and Towns in *Flanders*; and he ſeemed ſo well pleaſed with the Lady, that the Articles were concluded on; and the Parties being affianced, the Marriage was in a ſhort time to be conſummated. Upon this he was reſtored to his Liberty, which as ſoon as he had obtain'd, he took the firſt opportunity to give them the ſlip, and under the pretence of riding out a hawking, eſcap'd again into *France*.

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After his departure, the War between the King of *France* and the *Flemings* again broke out more fierce than ever; inſomuch that when he ſaw fair means would not do, [1] he ſent his Son Duke *John* to beſiege *Caſſel*, a Town between *St. Omers* and *Ipres:* But the *Flemings* being aſſiſted by a ſtrong Detachment of *Engliſh* from *Calais*, the Duke was repuls'd, and forc'd to raiſe the Siege with conſiderable loſs of Men. And no better ſucceſs had he in a like attempt upon the Town of *Lilliers*, where he alſo received another Repulſe; ſo that he brought back the reſt of his Troops very much diminiſhed in their number, at which freſh Diſgraces the King his Father was very much diſcontented. These things were done during the Winter, and part of the following Spring.

[1] Du Serres. Meier. Annal. Fland. l. 12. p. 153.

The D. of Normandy *beſieges* Caſſel, *but by the aſſiſtance of the* Engliſh *is repuls'd.*

In the mean while [2] the Siege of *Calais* was carried on with great obſtinacy; for tho King *Edward's* chief truſt was to reduce them by Famine, yet he endeavour'd to batter them with Engines, that caſt maſſy Stones into the Town againſt their Walls and Towers: And ſome have ſaid, that at this Siege Cannons were firſt uſed; but we have already diſcover'd the ſmall grounds there are for that Opinion; and a very good Author (who was alſo an Eye-witneſs, and preſent at the Siege) ſays, that neither could battering Engines be uſed to any great purpoſe, becauſe the Ground was not firm enough to ſuſtain them. Beſides, if the Walls could have been quite beaten down, yet were the Ditches (whereinto they could at their pleaſure let in the Sea) ſo deep, that with a few Men (provided their Ammunition and Proviſions fail'd not) they ſeem'd able to withſtand the whole World, ſo impregnable was *Calais* counted at that time; tho after the uſe of great Guns, and the Improvements that have been made in the Art of carrying on Sieges, in the laſt Century ſave one, it hath been twice taken; once by the *French* from the *Engliſh*, and then by the *Spaniard* from the *French*, tho it was in a ſhort time after reſtored to them again.

[2] Froiſ. ib. H. K. col. 2588.

K. Edward *carries on the Siege of* Calais *with great obſtinacy, but with no ſucceſs.*

But beſides the vigorous reſiſtance from within, the *French* Fleet made alſo divers efforts to put Proviſions into the Town, but ſtill fail'd in the Attempt, their Ships being taken by a part of the *Engliſh* Fleet that cruiſed before the Town under the Command of the Earl of *Northampton*, who made ſo ſtrong a Fortreſs into the very Sea, that from it he deſtroyed or chas'd away ſuch Boats and ſmall Veſſels as us'd to ſteal in with Proviſions along the Shore.

The Engliſh *Cruiſers hinder any Proviſions from being put into the Town.*

However, [3] a little after Eaſter no leſs than thirty *Norman* Ships and Gallies, all nimble Sailors, adventur'd one Morning early; and by the advantage of the Wind and Tide, without any hindrance from the *Engliſh* Fleet, carry'd ſome Proviſions into the Town, and got off again with little or no damage. But from that time the King cauſed the Mouth of the Haven to be quite block'd up, and the Earl of *Warwick* with eighty tall Ships was conſtantly ſcouring the Channel between *Calais* and *Dover*. [4] Then King *Philip*, that he might do what he could to ſuccour theſe his loyal Subjects, again equip'd a Fleet of twelve Gallies of *Genoa*, and ſeventy Sail of ſtout Ships, all laden with Proviſion and Ammunition, with ſtrict orders to relieve the Town; but ſo ſoon as ever this Fleet was ſeen from *Dover*, and the Earl of *Warwick* had notice thereof, he ſet upon the *French* with ſuch fury, that they were all diſpers'd, taken or ſlain, the Admiral of

[3] Id. col. 2592.

Yet 30 Norman *Veſſels got ſome Proviſions in.*

[4] Raynold. ad hunc An. Villani l. 12. c. 94.

K. Philip *ſets out a Fleet to relieve* Calais, *which is beaten by the E. of* Warwick.

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Genoa flying firſt, and leaving the *French* to the mercy of the Enemy. Here was taken a vaſt quantity of Arms and Proviſions, to the great ſatisfaction of King *Edward* and his whole Army, who now hop'd to be ſoon Maſters of the Place.

The difficulties the Engliſh *labour'd under during the Siege of this Town.*

Yet notwithſtanding all this Succeſs, the *Engliſh* (tho they wanted no manner of Proviſions) labour'd under ſome difficulties: for when any of them went into the Country to forage, if they did not go in ſtrong Parties, they were often cut off by the *French*; and beſides this, the Gariſon in the Town made frequent Sallies with very good advantage. And once early in the morning there ſallied out a Troop of choſen Soldiers, who breaking into the *Engliſh* Camp, had like to have ſurprized the King in his Tent; but ſtarting up from his Bed, and cauſing his Trumpets to ſound, he with his own private Guard fought the Enemy in the Trench, till divers of the Officers of the Army coming to his aſſiſtance with freſh Forces, they were beat back into the Town with the loſs of two hundred Men.

The great loſs of men during the Siege on the Engliſh *ſide.*

[1] Beſides this, a great Sickneſs roſe in the Army by reaſon of the unwholeſom Air, being corrupted by the ſtench of the Garbage of the Cattle that were kill'd, and other refuſe of the Camp, by which no ſmall numbers of the *Engliſh* periſhed; tho I believe [2] *Villani* is too laviſh in his Account, who ſays, that from the beginning to the end of this Siege, King *Edward* loſt above fifty thouſand men, which was more than his whole Army ever conſiſted of. But let thoſe Loſſes be what they would, they were ſtill made up by conſtant Recruits out of *England*: [3] and beſides theſe, many Lords and Noblemen of *Germany* and the *Low Countries*, who were willing to ſerve as Voluntiers, came with a conſiderable number of Men at Arms, to learn Experience, and aſſiſt King *Edward* at this Siege; and one of the chief of theſe was the Lord *Robert* of *Namur*, who was Nephew to *Robert* of *Artois* by his Siſter. This young Lord being newly return'd from *Jeruſalem*, came hither with a gallant Retinue: and beſides his love to Military Affairs, he had alſo a great Inclination to Letters; for it was by his encouragement and for his ſatisfaction, that *Froiſſart* wrote his two Volumes of Hiſtory, as [4] he himſelf informs us, to which we are ſo much beholden in this preſent Work, eſpecially for foreign Affairs. But it is now time to look back into *England*.

K. Edward *is aſſiſted by ſeveral* German *Noblemen.*

The King ſends to all Abbies and Priories in England *for an Aid of Wool.*

Nothing happen'd here conſiderable during this time, [5] only about Whitſuntide King *Edward* ſent to all the Abbies and Priories throughout *England* for an Aid of their Wools, and for a proportionable Supply from all other Religious Houſes, as lately had been granted to him in Parliament: And one [6] Author ſays, that he ſeized on all the Wealth of the Eccleſiaſticks, under the ſpecious pretence of borrowing it to maintain his Wars againſt *France*; by whoſe example King *Philip*, to defend his own, laid hands on the Revenues of all Clergymen (except Cardinals) not reſiding in his Kingdom. But I believe this Author is miſtaken in his Account, and that neither of theſe Princes took any thing from the Clergy, but what they themſelves had freely granted them.

In *Scotland* this Year the [7] Affairs of the Kings *Edward* and *Baliol* met with more than ordinary Succeſs; for the latter taking the opportunity of King *David*'s being in Priſon, enter'd that Kingdom by *Carliſle* with an Army of twenty thouſand men, and the Lord *Piercy*

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[1] T. W. ad an. 1346.

[2] L. 12. c. 95.

[3] Froiſ. c. 141.

[4] L. 1. c. 1. ad fin.

[5] H. K. 2592.

[6] Raynold ad hunc An.

[7] H. Boeth. l. 15. Buchan. l. 9.

with as many more by *Berwick*, made an Incurſion into *Lothian* and *Cuddiſdale*, whence he brought great Booty of Goods and Cattel; while King *Baliol* did the like in *Galloway*, *Niddiſdale* and *Carrick*; ſo that many of the *Scots* were at laſt compel'd to yield again to him, and own him once more for their King. From hence, both Armies being join'd, they began to march towards *St. Johns-town*, with a reſolution to bring all *Scotland* under their ſubjection; but the *Scots* made ſuch humble Inſtances, that they obtain'd a Truce for one Year, on condition to pay immediately nine thouſand Pounds Sterling to King *Baliol*, and that he ſhould reſide the mean while in the Caſtle of *Caer-Laverock*, on the Borders of *Galloway*, with competent Forces, for fear of the *Scots* recovering what they had loſt. But the [1] other *Engliſh* Lords and great Officers having built a Fort at a Place call'd *Heſtholm*, to bridle the *Scots*, returned to King *Edward* to the Camp before *Calais*, with much Honour and Glory.

K. Baliol *and the Ld* Piercy *make a conſiderable Invaſion into* Lothian, *&c. and carry away a great deal of Booty.*

The Scots *upon payment of* 9000 l. *obtain a Years Truce.*

[1] Chron. MS. de Dunel.

The Siege of this Town ſtill continuing, we will ſee what was doing in the mean time in *Bretagne*: [2] in the beginning of *January* the King ſent over Sir *Thomas Dagworth*, as his Lieutenant, with a hundred Men at Arms and four hundred Archers, that came very ſeaſonably to the Counteſs of *Monfort*'s aſſiſtance, for ſhe ſent theſe *Engliſh* Auxiliaries to join her own Forces; who together with Sir *Thomas*, beſieged a ſtrong Town and Caſtle ſtanding between *Pontrieux* and *Lantriguet*, called *Roche Darien* or *Dirien*, which was kept on the behalf of Count *Charles* of *Blois*: but ſo ſoon as the Counteſs's Army came before the Place, the major part of the Town being for the Counteſs, ſeized upon the Governor, and forced him to deliver it up to Sir *Thomas Dagworth*, who put a ſtrong Gariſon into it.

[2] Froiſ. c. 142.

The King ſends Sir Thomas Dagworth *with ſome Forces into* Bretagne, *with which he beſieges and takes the Town of* Roche Darien.

When Count *Charles* of *Blois* [3] heard this, he muſter'd a great Army at *Nantes* of ſixteen hundred Men at Arms, twelve thouſand Footmen, and two thouſand Croſs-bows, beſides many Noblemen and Gentlemen; for he had in his company no leſs than four hundred Knights and twenty four Bannerets. With theſe Forces he went and laid Siege to *Roche Darien*, which he aſſaulted ſo vigorouſly by his Soldiers, and batter'd ſo furiouſly with his Engines, that the Buildings of the Caſtle being almoſt ruined, and the Beſieged reduced to the laſt extremity, they would gladly have marched out upon condition of having their Lives and Goods ſaved; which Count *Charles*, being blinded with Paſſion, would not hear of, but required that they ſhould ſurrender to Mercy; which they not being willing to truſt to, ſtill obſtinately held out. In the mean time Sir *Thomas Dagworth* reſolved, if poſſible, to relieve the Place; and tho he was very much inferior to the Count in Forces, yet having received a Recruit of above a hundred Men at Arms, he march'd away by night to Count *Charles*'s Camp, which he ſurpriſed the next morning before Sun-riſing, and breaking into it on the ſudden (the Governor with the Gariſon of the Town making a vigorous Sally at the ſame time) after a ſhort diſpute routed the whole Army conſiſting of near thirty thouſand men, and took Count *Charles* himſelf with his two Sons Priſoners, together with divers Lords and Perſons of Quality needleſs to be particularly named; beſides many other of the ſame Degree, which with the reſt of the ſlain made near ſeven hundred men, as [4] Sir *Thomas Dagworth* himſelf certified to the Chancellor of *England* in

[3] Id. ib.

Count Charles *thereupon marches to retake it.*

The Beſieged would have ſurrender'd on Conditions which the Count would not accept.

Sir Thomas Dagworth *goes to its relief, and being aſſiſted by the Gariſon, routs Count* Charles, *and takes him Priſoner.*

[4] Vid. Chron. R. Avesbury, ad hunc An.

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[1] H. K. Col. 2593.

Who with his Sons is ſent Priſoner into England.

in a Letter he wrote to him for that purpoſe. This Victory was thus obtained near *Roche Darien*, [1] on the Wedneſday before the Feaſt of St. *John Baptiſt*, being the twentieth of *June*. Here he ſtaid till the Lord *Charles* was recovered of his Wounds, and then he convey'd him and his Sons, and the reſt of the Priſoners, into *England*, where King *Edward* order'd a publick Thankſgiving to God for his Victory, as was alſo obſerv'd in the Camp before *Calais*. But *Froiſſart* is here certainly miſtaken, who makes two Aſſaults to have bin given to Count *Charles*'s Camp, in the firſt of which he ſays Sir *Thomas Dagworth* (whom he always calls *Dagerno*) was taken Priſoner, and his Party routed; the falſhood of which appears from our *Engliſh* Hiſtorians.

[2] Id. col. 2592, 2593.

The Duke of Normandy *hovers about* Calais *for the relief of it; but upon the E. of* Lancaſter*'s approach retires.*

The Lds Stafford *and* Manny *with a Fleet of 200 Sail rout and take a greater Fleet of the* French.

While matters paſſed thus in *Bretagne*, King *Edward* had ſo ſtraiten'd the Town of *Calais*, both by Sea and Land, that without a ſpeedy Relief, it could not long hold out. Wherefore the [2] Duke of *Normandy* having recover'd now his Loſſes in *Flanders*, marched forward about the beginning of *June*, and hover'd about *Calais* with a conſiderable Body of Men, till the King his Father ſhould come up and join him with all his Forces. King *Edward* ſent out againſt him *Henry* Earl of *Lancaſter* with a Detachment of eight hundred Men at Arms, and ſixteen hundred Archers, for whoſe coming Duke *John* did not think fit to ſtay, but retreated haſtily out of his reach. About the ſame time the Earl of *Oxford*, and the Lords *Stafford* and *Manny*, with other Perſons of Quality, paſſing over out of *England* with a Fleet of two hundred Sail of all ſorts, met with that of the *French*, conſiſting of a much greater number, but moſt of them were Ships of Tranſport, who were going to relive *Calais*: Of theſe they took near two hundred Sail, together with all their Proviſions, which were brought into the *Engliſh* Camp.

[3] MS. Chron. in Bibl. Ben.

The Governor of Calais *turns 500 of the poorer ſort out of the Town, who periſhed.*

[3] The Governor and Commanders in *Calais* finding themſelves almoſt reduced to the laſt extremity, now again turn'd out five hundred more of the poorer ſort, that ſo the Victuals might hold out the longer: And perhaps the People themſelves, hoping to find as merciful uſage from King *Edward* as the others had done before, were willing enough to go; but they found themſelves much miſtaken: for the King ſeeing his good nature to be impos'd upon by the Obſtinacy of thoſe that defended the Town, he would not let thoſe poor Creatures paſs thro his Camp, but reſolutely order'd them to be driven back to the Walls, where being refuſed admittance, they moſt of them miſerably periſhed by Cold and Hunger, very few of them getting any Relief either from their Friends or Enemies.

[4] H. K. ib. Chron. R. Aveſ.

A Letter taken out of the Sea, diſcovers the ſad condition of the People in the Town.

[4] About this time ſome of the King's Ships met by chance with a ſmall Gally belonging to *Genoa*, the Maſter of which ſeeing he could not eſcape out of their hands, took a Letter he had lately received from the Governor of *Calais*, to the *French* King, and tying it to a Hatchet, flung it over-board; yet the Water being there but ſhallow, it was preſently taken up again by a Fiſhing-net. This Letter being dried, and then open'd, was found to this effect, which I here tranſlate *verbatim*.

Know, Dread Sir, that your People in Calais *have eaten their Horſes, Dogs, and even Rats. Now nothing remains for them to live upon, unleſs they eat one another; wherefore, Great Sir, if we have not ſpeedy Succour,* Anno Dom. MCCCXLVII.

Succour, the Town is loſt; and we are all reſolved, if we are not reliev'd, to ſally forth and die upon our Enemies with Honour, rather than to die within the Walls by Famine: And God grant you Power to render to us or our Heirs according to our Sufferings in your Service.

[1] When King *Edward* had peruſed this Letter, he cauſed it to be cloſed up again with his own Seal, and ſent to King *Philip*, requiring him to make haſte and ſuccour his good People in *Calais*, that ſuffer'd ſuch Miſery for his ſake: And he being ſufficiently ſenſible of the Hardſhips they endur'd, was all this while raiſing Forces for their Relief; but as his Preparations were great, ſo they were ſlow, and took up much time. However, in anſwer to the aforeſaid Letter, he ſent word to King *Edward*, that he would ſhortly come in Perſon, and raiſe the Siege; and gave the *Caliſians* notice, that now he would by no means fail to bring them a ſpeedy and powerful Succour. All this while the Duke of *Normandy* had made ſeveral offers to draw near *Calais* with his Forces, and ſometimes came within two or three Leagues of that Place: but the *Engliſh* had ſo drain'd the Country, that for want of Victuals he could not ſubſiſt thereabout for any time. Then in the end of *July*, [2] King *Philip* having raiſed a vaſt Army of a hundred and fifty thouſand men, began his march from *Amiens* to *Arras*, being accompanied by his Son the Duke of *Normandy*, and moſt of the chief Nobility and People of his Kingdom, that ſo he might be nearer hand to watch the motions of the *Flemings*, who had lately come with a great Army and laid Siege to the Town of *Aire*, to divert the *French* from relieving *Calais*: but ſo ſoon as they heard of his arrival in thoſe Parts, they raiſed the Siege, and marched off; yet not without doing a great deal of damage to the Country, having killed a great many of the *French*, and taken much Plunder.

[1] Id. ib. *The King ſeals up the Letter, and ſends it to* K. Philip *with a Meſſage.*

His Anſwer to K. Edward, *that he would come and raiſe the Siege.*

[2] Froiſ. c. 144. Mezeray. K. Philip *raiſes a vaſt Army, and raiſes the Siege of* Aire.

[3] When King *Philip* underſtood the *Flemings* had quitted the Siege of *Aire*, he began his march towards *Calais* thro the Country of *Bologne*, with all his Forces, until they came between *Calais* and *Whitſand*, within a League of the *Engliſh* Camp; where on the ſeven and twentieth of *July* he intrench'd with his whole Army on the Hill of *Sangates* on the other ſide of the Marſh, over-againſt King *Edward's* Camp, and from thence ſent and offer'd him Battel: But he wiſely conſidering the great advantage he had over the *French*, return'd in anſwer, *That he had lain many months before the Town, to his vaſt loſs of Men, and expence of Treaſure; but when he had taken it (which he hop'd to do in a ſhort time) he ſhould then think of anſwering his Challenge, and marching to fight him in the open Field.*

[3] Froiſ. ib. *He thence marches towards* Calais *to relieve it.*

[4] When the *French* King ſaw he could by no means bring King *Edward* to a Battel, he deſired the two Cardinal Legats from the Pope, who had been all along the Mediators for a Peace, to go to the end of the Cauſway that leads to the Town, and ſend Letters to the Earl of *Lancaſter*, and ſome other Great Men in the King's Army, requeſting that they might ſpeak with them. Whereupon he gave leave to him and the Earl of *Northampton* to go and treat with them, who with great earneſtneſs deſired there might be a ſpeedy Treaty ſet on foot, ſaying, they knew the *French* King would make ſuch Offers of Peace, as might be reaſonably accepted. To which Propoſal the King preſently aſſented, and then the Earl of *Lancaſter* order'd two Pavilions to be erected between both Armies, wherein there imme-

[4] Id ib. *He offers* K. Edward *Battel, which he refuſing, the* French *King imploys the Cardinal Legats again to offer a Treaty of Peace.*

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Which being accepted, Commiſſioners are appointed.

[1] H. K. col. 2594.

The Offers of the French *Commiſſioners rejected.*

diatly aſſembl'd before the ſaid Cardinals, and the Marqueſs of *Juliers* (then one of the Commiſſioners) on the behalf of King *Edward*, the Earls of *Lancaſter* and *Northampton*, and the Lords *Cobham* and *Manny*. On the part of the *French* were ſent the Duke of *Burgundy* and the Lord of *Bourbon*, with other Lords of *France*, and the Lord of *Oſtmond* and Monſieur *Geoffry de Charny*; [1] who at firſt only inſiſted upon Terms for the Town of *Calais*, but at laſt they offer'd the King's Commiſſioners, that he ſhould enjoy the Dukedom of *Guyenne* and County of *Ponthieu*, as his Grandfather had done; which was thought a ſmall matter for the Damage he had received, and the great Pretenſions he had to the Crown of *France* it ſelf, and therefore it was rejected.

[2] Chron. MS. Col. Ben. Froiſ. ib.

The French *King again offers* K. Edward *Battel.*

So after three days ſpent in Treaty without any effect, when the *French* King ſaw that all the Avenues to the Town were ſo well fortified and guarded, that there was no approach to it for his Army without running the utmoſt hazard, he was very much concern'd that all his great Preparations, made with ſuch a vaſt Expence, were like to come to nothing. Then [2] by the advice of his Council, he ſent the Sieurs *Charny* and *Ribemont*, with others, to King *Edward*, to demand Battel of Him, who being brought into his Preſence, he received them at the entrance of his Pavilion. Then they told him, that the King their Maſter, ſince He could find no convenient way of coming at Him, deſired He would come out with his Army and fight Him on the ſecond of *Auguſt* following, as alſo that he would ſend certain Lords of his Council, as their King would alſo do of his, to view and ſet out the Ground, and appoint the time of Battel.

The King's return to this Meſſage.

To which Meſſage King *Edward* only return'd a ſhort Anſwer, "That "He had now lain before the Town almoſt a Year, and that their "Maſter who kept his Inheritance from Him, might have come and "tried to relieve the Place long ſince, if he had pleaſed; but that "juſt when it was upon the point of being ſurrender'd, and could "no longer hold out, it was very unreaſonable, after all the trouble "and expence He had been at, that He ſhould now at his deſire "come out into the Field and fight for what He looked upon as "his own already; and therefore He ſhould keep his advantage, and "let the King of *France* come to Him if he pleaſed.

[3] Id. ib. Du Cheſne.

The Cardinals again offer their Mediation, and the Treaty is once more renew'd, but breaks off.

[4] H. K. col. 2595.

The Fr. *Commiſſioners offer to decide the Right of both Kings by Combat, which is declin'd by the* Engliſh.

[3] With this Anſwer the *French* Lords were civilly diſmiſs'd; and whilſt King *Philip* was conſidering what to do, the two Cardinals already mention'd came again to Him, and offer'd their Mediation, who being by Him ſent back to the *Engliſh*, to know what their Reſolution was, the King out of reverence to whatever they ſhould offer, agreed to renew the Treaty once more, which was managed by moſt of the ſame Commiſſioners as before; where among other things the *French* offer'd to King *Edward* all *Gaſcoigne* and *Ponthieu*, and the Marriage of his Son *John*; and further to yield unto Him the Town of *Calais*, ſaving the Lives and Limbs of the Inhabitants. To which the *Engliſh* Commiſſioners in ſhort anſwer'd, that they were not beholden to them for that, for the Town and all that is in it was at their King's mercy; ſo after four days the Treaty broke off. Then [4] when the *French* Commiſſioners ſaw there was no Peace to be obtain'd by theſe means, they propoſ'd that the Right of both Kings might be decided by Combat between five or ſix, to be choſen by each ſide; and that the Place where they ſhould meet might be aſſigned

ſigned by the King of *France*. To this the Earl of *Lancaſter* reply'd, that then the Place ought rather to be aſſign'd by King *Edward*, who was the natural and right Heir both of *England* and *France*; for *Philip* of *Valois* had no Right at all: So the Cardinals finding there was nothing more to be done, retir'd to *St. Omers*. King *Edward* having in the mean while receiv'd a Recruit of ſeventeen thouſand freſh Men, *Engliſh* and *Flemings*, offer'd the *French* King Battel; and tho he would not come out upon the Plain above *Calais*[1], yet he proffer'd at his own Expence to fill up the Trenches, and to remove all Impediments, that ſo the *French* Army might have free Acceſs to draw down and join Battel with him in the Marſh, provided he might have ſufficient Security, that nothing ſhould be convey'd into the Town during that time.

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K. Edward *having receiv'd Recruits out of* England, *offers* K. Philip *Battel.*

[1] Id. ib.

But [2] King *Philip* not liking that Offer, and deſpairing to do any thing further, on the Thurſday morning betimes ſet fire to his Tents, and ſo decamp'd and march'd off, taking his way towards *Picardy*, and then to *Amiens*; where for the preſent he disbanded his Army. But however, upon his Removal the Earls of *Lancaſter* and *Northampton* follow'd him at the heels, and took many of the Carriages belonging to the Army, beſides a great many Straglers, whom they took Priſoners.

[2] Froiſ. c. 146.

Who not liking that Offer, decamps.

When the Governour and Gariſon in *Calais* ſaw that their King was quite gone off without being able to relieve them, finding their caſe to be deſperate, they took down the Banner of *France* from the Walls, and ſet up that of *England* in its ſtead: [3] upon which the Governour deſired a Parly, and the Lord *Manny* and Sir *Walter Baſſet* being appointed to treat with him, he prayed them to intercede with the King for himſelf, the Gariſon, and Inhabitants of the Town, that ſince their Crime was only an exceſs of Duty to their Prince in holding out ſo long, his Majeſty would be pleas'd to take the Town and Caſtle into his hands, which they would freely ſurrender, together with all that was in them, and he hop'd that he would be pleas'd to grant them their Lives and Liberties. But the Lord *Manny* briefly told him, that after ſo great an Obſtinacy they muſt not expect to come off ſo eaſily; the King being not only highly incens'd againſt him and his Men, but againſt all the Inhabitants, for the great Piracys they had committed upon his Subjects during the War: yet he told the Governour, that he would repreſent what he had ſaid to the King his Maſter; which being done, he immediately ſent back word to the Governour and Townſmen, that he would grant them no other Conditions, than that they ſhould leave themſelves wholly to his Mercy. But at laſt, upon the Interceſſion of the Great Lords about him, he condeſcended to theſe Terms; That ſix of the chief Burgeſſes of the Town ſhould come forth bareheaded, barefooted, and in their Shirts, with Halters about their Necks, with the Keys of the Town and Caſtle, and ſhould lie at the King's mercy how he ſhould diſpoſe of them. Of which Reſolution notice being given to the Governour and Inhabitants, it caus'd a great Conſternation among them, for it ſeem'd hard to find out any of the principal Townſmen that would yield themſelves up as a Sacrifice for the reſt; till at laſt one *Euſtace de Saint Pierre* a chief Burgher, gave an example of his heroick Courage and Concern for

Upon which the Governour and Gariſon of Calais *deſire to ſurrender upon Terms.*

[3] Froiſ. c. 146.

Which are refus'd them.

They have no other Conditions granted than to yield to the King's Mercy; and that ſix of the chief Burgeſſes ſhould come out with Halters about their Necks.

Euſtace de St. Pierre *offers himſelf to be one, whereupon five others do the like; who all preſent themſelves before the King.*

The Queen intercedes with him to ſave their Lives, and ſends them away new clad.

the Preſervation of the reſt of his Fellow-Citizens (who therefore ought to be mention'd with Honour) and firſt freely offer'd himſelf to be one of the ſix that ſhould go out to the Conqueror, in the manner as he demanded; and then there were preſently five others that offer'd to make up the Number: and theſe being conducted out of the Town by the Governor (who aſſured the Lord *Manny*, that they were ſix of the moſt wealthy Burgeſſes of the Town) they were brought before the King in their Shirts with Halters about their Necks, the firſt of them having the Keys of the Town in his Hand. The King being ſtill much incenſed, commanded them to be all immediately beheaded; nor would he change his Reſolution notwithſtanding all the Interceſſion his Son or the Lords about him could make, till at laſt the Queen her ſelf (being then great with Child) fell upon her knees before him, and for Chriſt's ſake, and the Bleſſed Virgin's, and for all the kindneſs that the King ever had for her, humbly beg'd the Lives of theſe poor Men. Upon this the King being touch'd with Pity, granted her Requeſt, and ſhe preſently cauſ'd them to be carried to her Apartment, where the Halters were taken from their Necks; and being new clad, She order'd them a Dinner and ſix Nobles apiece, and ſo cauſ'd them to be ſafely carried out of the *Engliſh* Camp, andwholly to be ſet at liberty.

[1] Id. c. 147. *The King ſends the* E. *of* Warwick *to take poſſeſſion of the Town,* &c.

[2] H. K. col. 2595. *Many of the common People being almoſt famiſh'd, upon eating too freely die.*

Then the [1] King ſent the Earl of *Warwick* to take poſſeſſion of the Town and Caſtle, and ſecure Sir *John de Vienne* with the reſt of the Officers and Soldiers of the Gariſon, to be there impriſon'd; and as for all the Inhabitants, who were almoſt famiſh'd, after they had been refreſhed with Victuals, he order'd them to be turn'd out of the Town, for he intended to people it wholly with *Engliſh*. The King's Orders being executed accordingly, and the common People having ſtore of Victuals ſent them, [2] and eating too freely after ſo long a Faſt, ſurfeited, ſo that no leſs than three hundred of them died the next day; but all the reſt being convey'd beyond the Caſtle of *Guiſnes*, within the *French* Dominions, were let go where they pleas'd, and moſt of them went to *St. Omers*. Thus all the *French* were turn'd out of the Town, except one Prieſt and two antient Men who underſtood the Laws and Cuſtoms of the Place, and how the Lands about it were divided. And thus the ſtrong Town of *Calais* was deliver'd into the hands of King *Edward*, after near eleven months Siege, on the fourth of *Auguſt* this preſent Year.

[3] Id. ib. *The King makes his publick Entry into* Calais, *where he ſtaid till the Queen was brought to Bed of a Daughter.*

[4] C. 147.

[3] A few days after King *Edward* made his publick Entry into *Calais*, mounted on a ſtately Horſe, and attended by his Nobility, and chief Officers of the Army in all their military Pomp, and took up his Lodgings in the Caſtle, where he ſtaid for above a Month, to give Orders for new fortifying the Place, and to ſettle his Affairs; during which time the Queen was there brought to Bed of a Daughter, call'd *Margaret*, who was afterwards married to *John Haſtings* Earl of *Pembroke*. The Birth of this Lady at this Place is only mention'd by [4] *Froiſſart*, but moſt of our *Engliſh* Hiſtorians make her to have been born the Year before at *Weſtminſter* or *Windſor*. Whilſt the King ſtaid here, he beſtow'd a great many of the faireſt Houſes in the Town on the Lord *Manny*, the Earl of *Warwick*, and other Noblemen, in conſideration of the great Expences they had

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been at in the Siege; and as for the reſt of the Houſes, he reſolved to people them with Citizens from *London*, *Canterbury*, and other Places, which being not long afterwards perform'd, *Calais* became a perfect *Engliſh* Colony; but as for all the Wealth and Riches of the Town (for He let nothing be carried away) He cauſed it all to be brought to one place, and there kept under a ſtrong guard. Then He made the Lord *Montgomery* Governor of the Town, and Sir *Americ* of *Pavia*, a *Lombard* (who had been bred up under him) Captain of the Caſtle, of whom you will hear further anon; but as for Sir *John de Vienne*, the late *French* Governor, he and twelve others of the principal Officers were ſent Priſoners into *England*, to be kept in the Tower of *London*. Yet the King's great Succeſs was ſomewhat qualified by a ſmall Miſfortune; for five days after the taking of the Town, the Soldiers Huts in the Camp took fire, and burnt with that violence, that it deſtroy'd a great deal of warlike Ammunition and Proviſions; ſo that the King was forc'd to ſend for a freſh Recruit out of *England*.

He ſends for a Colony out of England *to re-people the* Town, *and gives them the Houſes of the* French.

The late Governor and other principal Officers ſent Priſoners into England.

[a] During this time Prince *Edward* rode forth with a ſtrong Detachment from *Calais*, as far as the River *Somme*, where having fired and ravaged the Country round about, he return'd ſafe to the Town with much Booty. But the Earl of *Warwick* had not ſuch good ſucceſs; for as he rode from the Camp towards *St. Omers*, he loſt to the number of a hundred and eighty Men at Arms and Archers, who indiſcreetly ſtraggl'd too far from the main Body. And beſides theſe Loſſes, by reaſon of the great Heats that laſted moſt part of this Summer, great numbers of the *Engliſh* died in the Camp before *Calais*, for want of freſh Water.

[a] H. K. Col. 2595.

Pr. Edward *rides out of* Calais *with a ſtrong Party, and ſpoils the adjacent Country.*

Whilſt the King was thus employ'd at this Place, [b] there came into *France* *Guy* of *Montfort*, a Nobleman of great extraction, commonly called *Guy* of *Bologne*, whereof he was Biſhop, and now Cardinal of St. *Cecilius*, who was juſt then ſent Legat from the Pope into *France*, to join with the other two Cardinals that were already there, in order to try what they could do towards reconciling the two Kings. This Prelat labour'd very zealouſly with his Couſin the *French* King at *Amiens*, and from thence went to *Calais* to move King *Edward* to a Truce; and at laſt his Endeavours met with ſo good Succeſs, that he obtain'd it of Him, to commence from the fifth of *September* to the thirteenth, which being again prolonged to the eight and twentieth of the ſame Month, was then fully ratified and accorded on both ſides, to endure between the ſaid Kings, their Subjects, Allies, Confederates, Aiders and Abetters, from that time till the Eighth of *July* following, upon theſe Articles, *viz.*

[b] Froiſ. ib.

A new Legate comes into France, *who with two other Cardinals mediate a Truce between the two Kings, which is at laſt concluded for near one Year.*

I. That the [c] *Scots* (among others) ſhould be compriſed on King *Philip*'s part, and that the Truce ſhould be proclaim'd on the Marches both of *England* and *Scotland*: Provided always, that whether the *Scots* ſhould refuſe to accept or hold the ſaid Truce or not, it ſhould nevertheleſs continue firm and inviolable between the two Kings, and others their Allies.

[c] Du Cheſne, p. 668.

The Articles of this Truce.

II. That the Earl of *Flanders* ſhould be obliged to keep it intirely, and during the Term thereof ſhould not make any War, or do any Grievance to the *Flemings*.

III. That

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III. That the Cardinals ſhould cauſe to ceaſe the Denunciations which the Biſhops and Prieſts of *Cambray*, *Tournay*, &c. had made againſt the *Flemings*.

IV. That this Truce ſhould be obſerv'd in *Gaſcoigne* and *Bretagne*, and all other Places, where either of the two Kings, or their Allies, had any Dominions or Poſſeſſions, *&c*.

The reſt of the Articles were in a manner the ſame with thoſe mention'd in the two former Truces of 1340, and 1342.

This Truce was further prolonged to the Year 1355.

This Truce being afterwards lengthened from time to time, was continued on till the Year 1355, and then you will find the War between *France* and *England* to be again renewed. In the mean time indeed it was but ill obſerv'd by the *Scots*; nor did the King's Governors of Places in *Gaſcoigne* maintain the Truce any better in thoſe Parts, but in *Bretagne* the War was ſtill carried on between the two Counteſſes of *Blois* and *Montfort*; by the former in her own and her Husband's Right; by the latter on the behalf of her Son, with extreme animoſity on both ſides.

[1] Stow ad hunc An.
The King builds a ſtrong Caſtle at Calais, *and then ſails for* England.
[2] T. W.
He ſuffers very much by a Tempeſt in his return.

As for King *Edward*, He would not repoſe any abſolute confidence in the Truce; but that He might the better ſecure his new Conqueſt, [1] he built a ſtrong Caſtle at *Risbank*, betwixt the Town of *Calais* and the Haven's Mouth, to keep off the Enemy from entring the Haven, or to endamage the Town that way. And having thus proſperouſly ſettled his Affairs, he went on Ship-board with his Queen, and the Prince his Son, and ſet ſail for *England*; but, according to his uſual fate, [2] He was now again ſeverely treated by a dreadful Tempeſt, wherein He loſt many of his People: however at laſt, tho not without great difficulty, and the loſs of many Veſſels, as well as Men and Horſes, He arrived ſafely on Shore on the fourteenth of *October*, and ſoon after went to *London*, where He was received in great triumph by the Mayor and Citizens, and by them honourably attended to his Palace at *Weſtminſter*.

[3] Vid. Aſhmol. *Hiſt. of the Garter*, p. 185.
After which he holds a great Tournament.

King *Edward* ſpent the remaining part of this Year in Tournaments, which were held with extreme Magnificence; [3] to which Solemnities not only the King of *Scots* (who was then a Priſoner) but alſo the Earl of *Eue*, Conſtable of *France*, with the reſt of the *French* Noblemen, who had been lately taken Priſoners, were admitted to be preſent, and to bear a part in them, which moſt of them perform'd with mighty commendation.

[4] A. Bucholeen Iſagog. Chron. ad an. 1346.
The Pope cauſes the Marqueſs of Moravia *to be elected Emperor, after which* Lewis *of* Bavaria *dies by a Fall from his Horſe.*

As to foreign Affairs, the Emperor *Lewis* of *Bavaria* having been lately publickly curſed by Pope *Clement*, as a Heretick and Schiſmatick, and as much depoſed as that Pope could make him, [4] he thereupon to finiſh what he had begun in *July* the laſt Year, had cauſed *Charles* Marqueſs of *Moravia*, and Son to *John* King of *Bohemia*, to be elected in his ſtead, at *Rens* in the Dioceſs of *Treves*, tho the major part of the Citizens were not for Him, and moſt of the Cities of *Germany* ſtill held for *Lewis*, who did not long ſurvive; for as he return'd from Hunting, being taken with an Apoplexy, He fell off his Horſe, and ſoon after departed this Life on the eleventh of *October*.

He had by the implacable malice of ſeveral Popes two Emperors ſet up againſt Him; the one was *Frederick* Marqueſs of *Miſnia*, in the beginning of his Reign, and *Charles* the abovemention'd in the latter end; but for all this he ruled the Empire in ſpite of the Pope's

Curſes and Combinations againſt him for near three and thirty Years. Not long after the Emperor's deceaſe, the Pope cauſed the ſaid *Charles* (who had bin elected King of the *Romans*, and was ſince his Father's Death King of *Bohemia*) to be acknowledg'd Emperor: but it ſeems he could not compaſs it until the beginning of this preſent Year, when He [1] ſent Prince *Charles de la Cerda* of *Spain* with his Papal Bull to the Arch-Biſhop of *Cologne*, to crown the ſaid King Emperor, which he did at *Bon* four Leagues from *Cologne*, about the beginning of *February* following. But the major part of the Princes Electors not being pleas'd with what the Pope had done, came to a new Election, of which I ſhall ſay no more till under the next Year. And thus we end this, being one of the moſt glorious and fortunate of this King's Reign.

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[1] H. K. col. 2596.

The Pope cauſes Charles *K. of* Bohemia *to be crowned Emperor.*

King *Edward* ſoon after his Return out of *France*, on the thirteenth of *November*, ſent forth [2] Writs of Summons for a Parliament to meet on the morrow of St. *Hillary*, or fourteenth of *January*; which being met accordingly, [3] the cauſe of Summons was by *William de Thorp*, Lord Chief Juſtice, declared to be on two accounts; firſt concerning the War with *France*, undertaken by conſent of the Lords and Commons; the ſecond was, how the Peace of the Nation might beſt be kept: and then he deſired that within four days they ſhould give their Anſwer to the King and his Council, what they thought and would adviſe concerning theſe things.

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[2] Rot. Clauſ. 22 E. 3. Part 2. m. 9. Dorſo.

The K. ſummons a Parliament.

[3] Rot. Parl. 22 E. 3. n. 4.

The fourth day [4] the Commons declared, that they are not able to adviſe any thing concerning War; *and therefore deſired to be excuſed as to that, believing the King would be beſt adviſed by his Nobles and Council; and what ſhould be by them determined, they would conſent unto, confirm and eſtabliſh.*

[4] Ibid. n. 5.

To the ſecond they anſwered, whereas they were charged to adviſe the King, how the Peace of the Land might be better kept, their Opinion was, that in every County there ſhould be ſix Perſons, of whom two to be the greateſt of the County, two Knights, and two Men of the Law, more or leſs, as need ſhould be; and they to be inveſted with a Power and Commiſſion out of the Chancery, to hear and determine all matters concerning the Peace, *&c.* and then concluded with a Requeſt, that becauſe they had been ſo long in Parliament, to their great Coſts and Damage, they might have a ſpeedy Anſwer to their Petitions, in order to have a ſpeedy diſmiſſion to return home. 'Tis probable the King receiv'd not the ſatisfaction He expected from this Parliament; for within a month after the firſt day of their meeting, He iſſued [5] Writs on the fourteenth of *February* for ſummoning another to meet on Monday next after the firſt Sunday in *Midlent* (or ſeventeenth of *March*) on which day, becauſe the Great Men ſummon'd were not fully come, the Parliament was continued until the next day, and for the ſame Reaſon until Wedneſday enſuing, [6] when Sir *William de Thorp* Chief Juſtice propounded the Cauſes of Summons, which were the ſame that are expreſt in the Writs of Summons. The firſt, that according to the late Truce made at *Calais* between the King and his Adverſary of *France*, certain Meſſengers were to be ſent to the Court of *Rome*, on both parts, to treat of a final Peace between them: That King *Edward* had ſent his competent Meſſengers to find the diſpoſition of the Pope concerning ſome Preparatories

[5] Rot. Clauſ. 22 E. 3. Par. 1. m. 32. Dorſo.

Another Parliament ſummon'd within a ſhort time.

[6] Rot. Parl. 22 Edw. 3. n. 2, 3.

The Chief Juſtice ſets forth the Cauſes of their Meeting, and the King's Demands.

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paratories for the Treaty and other things, about the Feaſt of St. *Andrew* laſt paſt, in hopes to have heard ſomewhat from them in his laſt Parliament; but of what they had done he had then received no certain Account: And for that many notable things were agreed on by the laſt Truce in favour of Himſelf, his Subjects and Allies, which thro the malice of the adverſe Party were not then accompliſh'd; and alſo for that his ſaid Adverſary, contrary to his Faith given concerning the then hop'd for Peace, had provided a very great number of Men at Arms, and others, with Ships and Gallies of greater force than had ever been heard of before, to invade *England*, and deſtroy the King and *Engliſh* Nation, as it manifeſtly appear'd by what had been, and was daily done. The other Cauſe was, to know how and in what manner the Peace of the Land might be beſt kept. And then the Commons were commanded to treat together, and take good advice how the Malice of the King's *Adverſary* might be reſiſted; and for the ſafety of Himſelf and his Kingdom, how He might be aided to his greateſt Profit, and the leaſt Charge to his People. Then the Commons having adviſed together, gave the Anſwer following, which tho ſomewhat long, I ſhall give you tranſlated from the *French* Record.

[a] Ibid.

The Commons Anſwer to the King.

They ſet forth the great Taxes they had paid, and the Grievances they ſtill ſuffer'd.

“[a] To their moſt honourable and moſt redoubted Liege Lord, his poor Commons ſhew, that at his laſt Parliament he ſent the Noble Earls of *Lancaſter* and *Northampton*, and other Great Men, to tell them, that He intended not to take any thing more of them, or to charge them farther; which they had publiſhed to the whole Land, for which they had alſo thank'd Him, according to their knowledg, as much as they could, and prayed for Him night and day: and yet at this preſent Parliament, upon certain News now arriv'd, He demanded a very great Charge of his poor Commons. Wherefore they deſire his Nobleneſs and moſt High Lordſhip would be pleaſed to underſtand the Miſchiefs and Burdens of the Commons: that is to ſay, the reaſonable Aid which had been pardoned in his fourteenth Year (that is, a Grant was then made it ſhould not be paid all his Reign) to wit, forty Shillings upon every Knight's Fee, to make his eldeſt Son Knight; whereas by Statute there was but twenty Shillings due upon every Fee; beſides the Fifteenths of the Commons, and Tenths of Cities and Burghs, Men at Arms, Hobelors, Archers taking of Victuals without paying for them, guarding the Sea, and alſo the Subſidy of Wool, by reaſon whereof every Sack of Wool (that was the Treaſure of the Land) was ſold for forty Shillings leſs than its value. So tho it would be a great trouble to the Commons to bear any Charge, yet nevertheleſs, if the Aid now to be granted might not be turn'd into Wool, neither by way of Loan or Value, nor in any other manner, nor levied too haſtily, but in the Form it was wont to be granted; and that the Eyres of Juſtices in the mean time might ceaſe, as well of the Foreſt as of the Common Pleas, and General Enquiry in the whole Land. And when this Aid ſhould be levied, that then for the future no Subſidy upon Wool may be granted by the Merchants; and that no Impoſition, Loan, or other Taillage, or Charge whatſoever, ſhall be put upon them (the Commons) by the Privy Council, without their Grant and Conſent in Parliament:

“ liament: and that two Prelats, two Lords, and two Juſtices might be aſſign'd to hear and diſpatch their Petitions, which were not anſwer'd in the laſt Parliament; and that their Petitions in this Parliament might alſo be anſwered according to reaſon, and the Anſwers to remain in force, without being changed or altered: That the Juſtices do enquire of falſe Mony, which ruins the People: That *David Bruce*, *William Douglas*, and other Chief Men of *Scotland* may in no manner be releas'd, neither by Ranſom, nor upon their Faith: That the King would reſtore the twenty thouſand Sacks of Wool taken of the Commons by way of Loan: That an Aid to marry his Daughter might not be taken in the mean time; and that there might be no Marſhalſea in *England*, except that of the King, or the Guardian of *England*, when He was out of the Kingdom. Upon theſe conditions, and not otherwiſe, as alſo that they may be entred in the Parliament-Roll, as matter of Record, by which they might have Remedy, if any thing ſhould be done to the contrary in time to come; the ſaid poor Commonalty, to their very great miſchief, grant to the King *three Fifteenths*, to be levied in three Years, to begin at *Michaelmas* next coming, ſo as every Year one *Fifteenth* may be levied, and no more, at two Terms in the Year, *viz.* St. *Michael* and *Eaſter*, by even Portions; and that this Aid may be aſſigned and reſerv'd only for the War, and not to pay Debts; and if the War ſhould ceaſe, or a Truce be made, then the *Fifteenth* of the laſt Year not to be levied. That of theſe Conditions, and the manner of this Grant, Letters Patents ſhould be made, and ſent into all Counties, without paying any thing for them, wherein ſhould be mentioned the great neceſſity the King was in after the laſt Parliament; and in caſe the War ſhould break out towards *Scotland*, the Aid granted beyond *Trent*, ſhould be imploy'd for the defence of thoſe Parts, as it had been formerly.

There were likewiſe many other Petitions, with their Anſwers, made this Parliament, for which, being of leſs moment, I ſhall refer the Reader to *Cotton*'s[1] Abridgment, only ſhall take notice of one or two of the moſt remarkable; upon the reading of a long Complaint againſt *Foreſters*, for afforeſting of mens *Purlieus* for undue Trial, and for Extortions. To which was added a Requeſt, that *Magna Charta* may be obſerv'd, and that all men may enjoy their *Purlieus*, according to the Perambulations made in the time of King *Edward* the Firſt.

To which Petition the King's Anſwer was, that *Magna Charta* ſhould be kept inviolable; and thoſe that will complain for the right of their *Purlieus*, may have Writs out of Chancery for redreſs.

This much I thought fit to take notice of, that the Reader may obſerve how ſenſible the Commons of *England* have been upon any Infringement of the Great Charters of Liberties and Foreſts, and how ready the greateſt and moſt powerful of our Kings have been to give them all due ſatisfaction to ſuch their Petitions or Demands, in their own way.

About this time the *German* Princes being much diſcontented at the Pope's impoſing an Emperor upon them againſt their wills, moſt part of the Temporal Electors, as alſo one of the Eccleſiaſtical, A. p. 656.

[1] P. 69, 71.

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The King is choſen Emperor by ſeveral of the Electors, who ſend Ambaſſadors to him.

[1] Stow p. 245.
[2] H. K. Col. 2597.

The King ſends the E. of Northampton *into* Germany *to obſerve the Intrigues of the Princes, who at his return diſſuades the King from accepting the Empire.*

viz. Henry Archbiſhop of *Ments*, together with *Rudolph* and *Rupert*, Counts Palatine of the *Rhine*, and Dukes of *Bavaria*, *Lewis* Marqueſs of *Brandenburgh* and *Luſatia*, and the two Dukes of *Saxony*, being aſſembled at *Cologne*, elected [1] King *Edward* Emperor, and immediately after they ſent two Earls and two Doctors of Law to give him notice of it. [2] When Queen *Philippe* heard of their coming and the occaſion, being a wary and prudent Princeſs, ſhe was very much concern'd for the Quiet and Safety of the King her Husband; for ſhe very well knew the great troubles and vexations the late Emperor *Lewis* her Brother in Law had endured all his Reign, both from the malice of the Pope, and the Factions of the *German* Princes raiſed by Him; and therefore ſhe did all ſhe could to perſuade the King her Husband from concerning Himſelf with ſo hazardous and precarious a Dignity, to which the King Himſelf was not much inclinable: however, whilſt the Ambaſſadors continued in *England* expecting his final Anſwer, He privately ſent over the Earl of *Northampton* into *Germany* to obſerve the ſtate of Affairs there, who returning home after a ſhort ſtay, gave the King a full Information of the Factions and Intrigues of thoſe Princes, and that by the acceptance of the Empire, He ſhould not only have him that was lately ſet up by the Pope for his Adverſary, but alſo the Pope himſelf, who would be ſure to maintain an Emperor of his own appointing, and who, if ever he could be brought over to declare for the King, would never to be ſure do it without an exceſſive ſum of Mony; for which reaſons, but chiefly becauſe it would hinder Him from being able to recover his Rights in *France*, tho he treated the Ambaſſadors very Nobly, yet He anſwered them, *That He would not undertake ſo great a Burthen, till he had gain'd the Crown of* France, *which was his due by Hereditary Right.*

[3] Rot. Clauſ. 22 E. 3. m. 20. Dorſ.

[4] Sleid. de Mon. L. 3.
[5] Lamped. Mellif. Hiſtor. par. 13. p. 361.

And not long after, the King ſent [3] Sir *Hugh Nevil* and *Ivo de Clinton*, his Envoys to the Princes Electors, to return them Thanks for the great Honor they had intended Him, with a more abſolute and formal refuſal of it than before; yet however, that He ſhould never fail to do the *Sacred Empire* all the good Offices that lay in his Power. [4] Upon this Refuſal of K. *Edward*'s, the Electors proceeded (but not ſo unanimouſly as before) to another Election; for [5] ſome choſe *Frederick* Marqueſs of *Miſnia*, and others *Gunter* Earl of *Negropont*; but the one being brib'd off, and the other diſpatch'd by Poiſon, *Charles* King of *Bohemia*, the Pope's Creature, prevail'd, and continu'd Emperor, by the Title of *Charles* the Fourth: And it was He who firſt granted that famous Charter, call'd the *Golden-Bull*.

[6] Rot. Franc. 22 E. 3. m. 13. Dorſ.

[7] Rot. Clauſ. 23 Ed. 3. m. 9, 10. Dorſ.

The Truce with France *prolong'd for a year.*

The time of the Truce of *Calais* being near expiring, [6] upon the Pope's ſending Commiſſioners either to prolong it, or to treat about a final Peace, the former was accepted for ſix Weeks; which Term being ended, [7] the Ambaſſadors on both ſides met between *Guiſnes* and *Calais*, and agreed to another Truce to begin on the thirteenth of *November*, and continue to the firſt of *September* 1349. and how it was then prorogued the year following, you will find hereafter: and indeed this was a very proper time for the Pope's Interceſſion, for both Kingdoms were now ſo drain'd of Mony by the late War, that they needed a Recruit before they could begin it again. Indeed *France* deſired this Truce upon a much more fatal occaſion,

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caſion, *viz.* the great Plague that then afflicted *Europe*, and had now ſeiz'd that Kingdom; but the reſt of this year in *England* [1] was chiefly taken up in Sports and Tourneaments at *Weſtminſter* in the *Eaſter* Holydays, as alſo about Midſummer at *Windſor*, where *David* King of *Scots* was preſent, being held by King *Edward* himſelf, and the reſt of the Nobility, with great expence in Habits, Armor, and other Warlike Acoutrements. To ſay ſomewhat of *Scotland*, this Summer the [2] *Scottiſh* Nobility made a Propoſal to King *Edward* to redeem their King from his Captivity; to whom He return'd this Anſwer, That foraſmuch as they in defiance of the Truce had unjuſtly made War upon Him in his Abſence, He expected they ſhould firſt give Him ſatisfaction for all thoſe Injuries and Damages they had done to Him and his Realm in that War; and this done, they might proceed to the buſineſs of the Ranſom. But tho' this Anſwer was but reaſonable, yet it was ſo diſtaſtful to the *Scots*, that upon the firſt notice of it, they roſe ſuddenly, and in conſiderable Bodies enter'd the Marches of *England*, where they ravaged the Country, fired Villages, ſlew poor People without mercy, and took many ſleeping in their Beds, whom they carry'd away priſoners, and ſet unreaſonable Ranſoms upon them. Then the *Engliſh* Lords of the Marches, ſeeming to wink at theſe things, proclaim'd a Solemn Tourneament to be held at *Berwick*, thereby to entice the *Scots* again within the *Engliſh* Pale; who coming accordingly in their wonted Bravery, were many of them cut ſhort in the way by a good Body of *Engliſh* Borderers, who diſcomfited them, and put ſeveral of them to the Sword; and preſently after, in proſecution of this Revenge, the *Northern* Lords went into *Scotland*, and ſpoiled and ravaged the County of *Carrick*.

[1] Stow p. 245.

The King ſpends the reſt of the year in Tourneaments.

[2] H. K. Col. 2597.

The Scottiſh *Nobility make a Propoſal for the Redemption of their King, with K.* Edward's *Anſwer to it.*

The Scots, *diſpleas'd at the King's Anſwer, enter* England *and ſpoil the Country, but are repuls'd.*

The reſt of this Year paſſed pretty quietly, inſomuch that our [3] Author takes notice, that Peace being now ſettled, *England* gloried in the ſpoils of *France*; ſo that there was ſcarce any Woman of Condition but could ſhew ſome rich Furs and foreign Furniture, and our *Engliſh* Dames began now to pride themſelves in the Faſhions of the *French* Ladies; and then Luxury increaſing, fine Table Linnen, Gold and Silver Plate, and Jewels were ordinarily ſeen in the Houſes of private Perſons.

[3] T. W.

The great Plenty and Luxury of the Engliſh *at this time.*

And indeed the Vanity of our Women was then very great, if what [4] *Knighton* relates of ſome of the Ladys of that time be true, that they were ſo fond of Tourneaments, that it was ordinary for them to ride forty or fifty in a Troop to theſe Aſſemblies; and having more Beauty than Diſcretion, went dreſs'd like Men, in Partycolour'd Coats, with ſhort Hoods about their Heads, and Girdles embroider'd with Silver (at which hung Daggers) about their Waſts; and thus they rode upon choice and well-furniſh'd Horſes from one Tourneament to another, waſting their Eſtates and loſing their Reputation. This I take notice of, that the Reader may not believe that exceſſive Confidence and Vanity among the Female Sex have only been in faſhion ſince this preſent Age. But God had provided a ſevere Scourge for the Luxury that now reigned in this Nation: for the laſt [5] year a Plague began in the North parts of *Aſia*, and ſpreading it ſelf Southward, never ceas'd, till paſſing thro' *Greece* it arriv'd in *Italy*, and going from thence into *France*, made ſuch quick diſpatch, that [6] about the beginning of *Auguſt* it came over hither, and be-

[4] Col. 2597.

The Vanity of the Women, and their extreme fondneſs of Torneaments.

[5] Mezeray ad hunc An.

A Plague begun in Aſia, *which ſpreading all over* Europe, *at laſt comes into* England.

[6] Stow ibid.

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beginning in the Towns on the Weſtern Coaſts, from thence advancing to *Briſtol*, and ſo to *Glouceſter*, it got to *Oxford*, and about the beginning of *November* reached *London*, where it made a ſtrange deſolation not only among the common People, but alſo thoſe of better Quality; ſo that a vaſt number of them dy'd this Autumn, and the Summer following, as you will find more particularly hereafter.

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[1] MS. Chron. in Col. S. Ben.

[2] T. W. Froiſ. c. 150:

The Lord De Charny *tampers with the Governor of* Calais, *to betray that Place.*

King *Edward* had hardly time to [1] keep his *Chriſtmas* at *Havering* in *Eſſex*, before He was call'd into *France* on this occaſion. Sometime after the prolonging of the late Truce was thus agreed on, [2] the Lord *Geoffry de Charny*, who was at that time at *St. Omers*, and commanded in Chief over the *French* Forces in *Artois* and *Picardy*, thinking it would be no great fault to ſurprize the Town of *Calais* during the Truce, held private Intelligence with Sir *Americ de Pavia*, who (as I have already ſaid) was left Governor of the Caſtle by King *Edward*, to betray the ſame to the *French* for twenty thouſand Crowns in Gold; but ſome time before it was to be executed, King *Edward* had ſecret Intelligence of this Treachery (as ſome ſay) from the Governor himſelf; or, as *Froiſſart* relates, from ſome other hand: but which way ſoever it was, Sir *Americ* came privately over to the King, and acquainting Him with the Deſign, promis'd to carry on the Treaty under-hand, and to make as if he would deliver up the Town at the time appointed, being the laſt day of *December*. But juſt before that day, [3] the King with his Son the Prince, having choſen out three hundred Men at Arms, and ſix hundred Archers, and ſent them away forthwith to *Dover*, and there All going on board arriv'd at *Calais* that night, and lodg'd Himſelf and his Men in the Caſtle, letting no body in the mean while go out of the Town to give notice to the *French* of his Arrival. In the mean time the Lord *Charny* began to march from *Arras* to *Calais*, and arrived before it about twelve of the Clock at night; then waiting there ſome time, till all his Men were come up, when he had put them in Order, he ſent two of his Eſquires to the Caſtle to know of the Governor, if it were time to ſend to receive it; who ſaying, Yes, they returned with this Anſwer to their Maſter, who advancing forward paſſed over [4] *Newland* Bridg with all his Forces: but he had ſent a little before twelve Knights and an hundred Men at Arms, under the Command of Sir *Edw. Ranty*, to take poſſeſſion of the Caſtle, with the twenty thouſand Crowns in Gold, which was to be the Price of the Treaſon; and in the mean while the *French* General hover'd not far off in the Field with great ſilence, expecting till his Men had ſeiz'd the Caſtle, and then to enter the Town. But the Governor having let down the Bridg of the Poſtern, permitted the hundred *French* Men to enter, and having receiv'd the twenty thouſand Crowns from the Commander, he carry'd the Men into the great Tower of the Caſtle to take poſſeſſion of it; but as ſoon as the Gate was open'd, they found K. *Edward* with two hundred Men, who ran upon them with their naked Swords and Battle-Axes in their hands; whereupon the *Frtnch* Men ſeeing they were maſter'd, yielded themſelves priſoners, and were preſently lock'd up in the Dungeon underneath the Tower. This done, the King with the Prince his Son having mounted their Horſes, went out of the Caſtle attended by his Archers and Men at Arms, and marched thro the Town to the Gate of *Bologne*, where (being *incognito* with

[3] Froiſ. c. 151. *Upon intelligence of it the King paſſed over into* Calais *with Pr.* Edward *to prevent it.*

[4] In French *Pont de Millaiz.*

The French *permitted to enter the Caſtle, are all taken priſoners by the King: Who with the Prince marches out of the Town againſt the* French *Forces, that were drawn up without it.*

the Viſors of their Helmets drawn over their Faces) they met the Lord *Manny*, who ſtood there ready with a great many young Noble Men of *England*, and all the Soldiers and Men at Arms that could be ſpared from the Gariſon; then the King and the Prince putting themſelves as Private Volunteers under the Banner of the Lord *Manny*, marched out of the Gates to fight the Lord *Charny* and his Forces, who (as we have ſaid) ſtood ready without the Town, it being yet very early in the Morning.

But [1] ſo ſoon as the Lord *Charny* and his *French* Men perceived their Enemies thus coming out upon them, truſting in their numbers, and ſeeing it in vain now to retreat, they reſolved to fight it out; ſo that there began a cruel Battle upon the Cauſway and Bridg leading to the Town, where, to paſs by ſeveral turns and circumſtances of this Action, the King was in ſome danger, and once hard put to it, being engag'd with the Lord of *Ribemont*, a Strong and Valiant Perſon, by whom tho he was twice ſtruck down on his knees, yet that Lord was at laſt taken priſoner, as were alſo the the L. *Charny* and many other Knights and Men of Quality, the *French* Army being totally routed by the *Engliſh* Archers and Men at Arms; but the greateſt part of thoſe Forces ran away, and eſcaped with the Lord *Montmorancy*, and divers other *French* Noblemen; for the brunt of the Battle fell upon that part which was commanded by the Lord *Charny*, who being grievouſly wounded himſelf was taken priſoner, with divers *French* Knights and Perſons of Quality, beſides a great many common Soldiers.

The L. Charny *and the* French *make a vigorous defence, yet are at laſt worſted.*

The King in danger by the ſtrength and valor of the Lord of Ribemont.

This Victory was obtain'd, and the Fight over on the firſt of *January* by ten of the clock in the Morning, the King and the Prince, with divers of the Nobility, having behaved themſelves very gallantly; [2] and then they marched into the Town with all their Forces; and ſo ſoon as they were got into the Caſtle, the King commanded all the Priſoners to be brought thither, and put in ſafe cuſtody: and tho the Lord *Charny* was the main Contriver of this unfortunate Deſign, yet being ſo wounded that he was not able to go, the King ordered his own Chirurgeons to take care of him, which they did ſo effectually, that he was able to ſit at Supper the Night following amongſt the reſt of the Priſoners; and then it was they firſt knew, that the King and the Prince his Son had been both engaged againſt them, as Private Volunteers. [3] King *Edward* after he had taken the remainder of that day, as alſo moſt part of the next for his own repoſe, as well as that of his Noble Priſoners, kindly invited them to ſup with him the Night following in the Hall of the Caſtle, where he made them a ſplendid Entertainment, and received them with a gracious Countenance; and He himſelf being magnificently clad, ſat down alone at the upper end of the Room, the Prince his Son and the Chief Lords carrying up the firſt Courſe; but when that was done, He made them all ſit down by him on each ſide, whilſt the *French* Lords and Officers were entertain'd at a long Table in the midſt of the Hall, and ſeeming at leaſt to be merry, put the beſt Countenance they could on ſo ſad an occaſion. Preſently after Supper, the King being bareheaded, except a rich Circlet of Gold about his Head, beſet with *Orient* Pearls, roſe up with ſome of his Chief Lords, and went to diſcourſe

The King's generous uſage of the L. Charny, &c.

The great Entertainment he made for them.

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[1] Id. ib.

[2] Id. c. 152.

[3] Id. ib.

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diſcourſe with the *French* Noblemen: when he came to Sir *Geoffry Charny*, He changed Countenance a little, and beheld him with a frown, and ſaid to this effect: *My Lord, I owe you but ſmall thanks, ſince you deſigned to ſteal that from me by night, which I fairly won by day; and indeed it would have been too good a Bargain in Conſcience to have bought that for twenty thouſand Crowns, which coſt me ſo much Blood and Treaſure; but God has diſappointed your Deſign, and of his Mercy given me the Victory.* The Lord *Charny*, either being aſhamed of his late Action, or diſpirited by his wounds and miſfortune, anſwered not a word. So the King turn'd away, and went to the Lord *Euſtace de Ribemont*, where he made a ſtand, and with a ſmiling Aſpect, made him a very obliging Complement to this effect: *That He looked upon him as one of the ſtouteſt and ableſt Men living, as well to offend his Enemies as defend himſelf; and that He* (viz. the King) *had never been ſo hard put to it in his Life:* And therefore as a perpetual token of his Valor, he took off the Chaplet from his own Head, and put it upon this Lord's, charging him to wear it for his ſake in all publick Meetings and Solemnities; which being the greateſt Honor that could be confer'd by ſo Great a King on ſo Valiant a Warior, it is not to be doubted, but he always punctually obſerved. I have taken notice of theſe Paſſages, as well to divert as inſtruct the Reader, that he may obſerve not only the Martial Genius of that Age, but alſo the generous Temper of this Prince, who would own and reward true Valor, even in an Enemy.

The King's Speech and noble Preſent to the Lord De Ribemont.

But to return to matters of greater importance: The [1] King before he left *Calais*, turn'd Sir *Americ de Pavia* out of the Caſtle, and put the Lord *Beauchamp* in his room; for tho what the late Governor had done had proved for his advantage, yet He did not know but he that would perjure himſelf to an Enemy, might at one time or other do the like to his Prince; and the *French* [2] Hiſtorians tell us, that their King was ſeverely revenged upon him ſome time after: for being taken by certain *French* Men about *St. Omers*, he was firſt degraded of his Knighthood, and then, his Tongue being cut out for his Perjury, hanged and diſmember'd as a Traytor. When the King had ſettled his Affairs on that ſide the Water, He returned into *England* with the Chiefeſt of his Priſoners, and was received with great Joy and Triumph at *London*.

Sir Americ de Pavia *is diſmiſſed from being Governor of the Caſtle of* Calais, *and why.*

What the King did the reſt of this year after his return, our Hiſtorians give us no perfect Account, and therefore I ſuppoſe little happen'd worth noting; but that the [3] Parliament ſummon'd to meet on the *Quindene* of *Eaſter* (which fell out on the twenty third of *April* this year) was twice prorogued, becauſe of the Plague that raged ſtill in *England*, to the deſtruction of a great many People of all Qualities, tho chiefly of the meaner ſort, who periſhed not only in *London*, but in moſt of the Cities and Towns in *England*; for the particular Account of which I refer the Reader, who deſires to look into ſuch melancholy Relations, to our Author [4] *Henry de Knighton*, as alſo to *Stow*'s Chronicle: but to paſs to ſomewhat more diverting.

The Plague raging in England, *the Parliament is prorogued.*

I am ſorry that I cannot agree with the Learned [5] Mr. *Aſhmole*'s Account, who fixes the firſt Inſtitution and Feſtival Solemnity of the moſt Noble Order of the Garter to the twenty third of *April* this Year:

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[1] Rot. Franc. 22 Ed. 3. m. 1.

[2] Du Cheſne. Mezeray.

[3] Rot. Clauſ. 22 Ed. 3. par. 2. m. 7. Dorſ. & Ib. m. 3. Dorſ.

[4] Col. 2599. ad hunc An.

[5] Hiſtory of the Garter, p. 185.

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For I confeſs [1] Dr. *Brady*'s Objections againſt the holding of this Feaſt this Year are very conſiderable, ſince it appears by the ſaid Writs abovemention'd, that the Parliament being prorogued by reaſon of the Peſtilence, it is not likely the King would then ſend Heralds to almoſt all the Kingdoms of *Europe*, to invite all Noble Perſons who delighted in Martial Exerciſes, to ſhew their Skill and Strength in tilting at this Solemnity; however, the Model of this famous Order might be then contriv'd, and the main Rules of it agreed on, tho the Feſtival Solemnity of it was not celebrated until the next Year. I ſhall ſay no more of this Glorious Order, but refer the Reader to the Author abovemention'd, who hath wrote a moſt elaborate Work concerning it; and therefore ſhall only obſerve, that the end and deſign of this Inſtitution was truly Noble and Generous, being worthy of that Great Prince who contriv'd it: For it was not only to adorn Martial Vertue by ſplendid Robes and rich Jewels, but alſo to engage them by a ſolemn Oath before God to preſerve and confirm Fidelity, Honour and Courage in the minds of thoſe that were then admitted into it; which Vertues were juſtly look'd upon as the nobleſt Badg and Diſtinctions of all Military Men, and by a ſtrict Obſervation and Performance whereof they could only acquire a great and real Reputation; when not to act juſtly, valiantly and faithfully, was then eſteemed the greateſt Blemiſh and Diſhonour imaginable: And I wiſh that the like worthy Sentiments may ever continue fixed in the Hearts of all the Companions of that Noble Order.

I find nothing elſe worth the noting this Year in domeſtick Affairs; but as for Military, if [2] *Knighton* may be credited, the *Scots* were ſo far from being terrified by the late dreadful Mortality in *England*, that they rather inſulted it, looking upon it as a particular Judgment on the *Engliſh*; and hoping to gain ſome conſiderable Advantage thereby, invaded the North Borders with a great Force; but before they could make any conſiderable Progreſs, a terrible Plague fell among them (I ſuppoſe got by Infection in the Places where they quarter'd) inſomuch that ſeveral thouſands of them died in a ſhort time, at which being terrified, they made all the haſte home they could; but being overtaken by a ſtrong Body of the *Engliſh* Militia, they were totally routed, and a great number of them ſlain: and the reſt that eſcaped carried home the Plague into their own Country, where it raged to as great a degree as it had done in other Places.

The Scots *invade* England *during the Plague, but being infected with it, many die, &c.*

I ſhall now give a ſhort account of the Deceaſe of ſeveral Perſons of note, that died of this Sickneſs: [3] for beſides the Lords *Wake* and *Faukonberg*, with ſome other Barons, there deceaſed no leſs than three Arch-Biſhops of *Canterbury* within one Year, *viz.* The firſt was [4] *John Stratford*, a Prelate of great Learning and Conſtancy; the ſecond *John Ufford*, the King's Chancellor, a Perſon of a Noble Family, who yet cannot properly be reckon'd in the Catalogue of Arch-Biſhops, becauſe being only ſo Elect, he died within ſix months after it, without ever being conſecrated; and was ſucceeded by *Thomas Bradwardin*, called for his deep Knowledg in Divinity, Mathematicks, and other Sciences, *Doctor de Profundis*, who died of the Plague within two days after he came to *London*, and within five

Mr. Aſhmole.

[1] Comp. Hiſt. Vol. 2. p. 247.

[2] Col. 2600.

[3] Dug. Bar. Vol. 1. p. 541. Id. Vol. 2. p. 4.

[4] Godwin de Præſ. p. 136, 137.

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five weeks after his Conſecration by the Pope at *Avignon.* He was ſucceeded by *Simon Iſlip* Keeper of the Privy Seal, a juſt and politick Prelate, who held the See for many years after.

[1] Mezeray ad hunc An. Humbert *Dauphin of* Viennois *reſigning his Principality, makes the Crown of* France *his Heir.*

As to foreign Affairs, tho *France* had lately received great Miſfortunes, yet this Year its Territories were augmented by the addition of a conſiderable Dominion to it; for [1] *Humbert* the laſt Prince or Dauphin of *Viennois* being tired out with the continual Attacks of the Duke of *Savoy*, and highly afflicted at the Death of his only Son, made over his Principality ſome Years ſince to the King of *France* for a Sum of Mony, upon condition that after his Deceaſe it ſhould be incorporated to the Crown of *France*, and that the King's eldeſt Son ſhould always bear the Arms and Title of *Dauphin:* and this Year he confirm'd the ſaid Contract, and then retiring to a Convent, profeſs'd himſelf a *Jacobin* Frier, and being immediatly ordain'd a Prieſt, was a few days after made a Biſhop by the Pope, under the empty Title of *Patriarch* of *Alexandria.*

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[2] O. Raynold. ad An. 1349. *The King receives a Letter from the Pope, exhorting him to a final Peace.*

In the beginning of this Year [2] the King received a pious Letter from the Pope, to exhort Him to a Peace and final Agreement with the King of *France*, putting Him in mind, that the late Peſtilence was ſent from God, as a Puniſhment for mens Sins: He therefore intreated King *Edward* to ſend his Ambaſſadors to *Avignon*, there to renew the Treaty that had been formerly begun before him. This bore date at *Avignon* on the fifteenth *Kal.* of *December*, or 17*th* of *November* the laſt Year.

[3] Rot. Fran. 23 E. 3. m. 7. *On which the K. ſends over Commiſſioners to* Calais, *but without any effect.*

In purſuance of which Invitation, tho neither of theſe Kings were willing to ſend any more Ambaſſadors to *Avignon*, yet they agreed ſo far to comply with the Pope's Deſires, [3] that King *Edward* ſent over as his Commiſſioners, *William Bateman* Biſhop of *Norwich*, the Earls of *Huntingdon*, *Suffolk* and *Northampton*, with the Lords *Cobham* and *Bourchier*. Theſe being arrived at *Calais* in Midlent, treated with the Plenipotentiaries of *France* (whoſe Names are here needleſs to be recited) at *Boulogne*, where beſides the two Cardinals (ſo often mention'd) there alſo appear'd the Arch-Biſhop of *Lions* and the Abbot of *St. Denis*, to mediate matters between the two Kings, which was impoſſible to be compoſ'd; for the *French* Commiſſioners inſiſted upon no leſs than the Reſtitution of *Calais*, or elſe the raſing of it to the Ground, neither of which the *Engliſh* would admit of. Yet at laſt by the Prayers and Interceſſion of the Cardinals, it was agreed, that certain Commiſſioners from both Kings ſhould enter upon a Treaty of Peace, to be held from the time that this Treaty ſhould end, unto the Month of *September* following; by which, if then a final Peace could not be concluded, that the Crown of *France* ſhould be brought by the conſent of both Parties, to a certain convenient Place within that Realm, and there without any other Trial or Appeal, the Right thereof ſhould be decided by a pitch'd Battel. This Truce and Agreement was thus made on the tenth of *March* this Year; but the Conditions came to no effect, the whole Project being null'd on occaſion of the Death of King *Philip* of *Valois*, who died a Month before the limited time, of which we ſhall ſpeak further hereafter, and in the mean while all things continued in the ſame ſtate.

Yet the Truce is agreed to be prolong'd.

But

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The War carried on in Bretagne *with various Succeſs.*

But in *Bretagne*, notwithſtanding this Truce, the War was ſtill carried on between the two Ladies, the Counteſſes of *Blois* and *Montfort*, with various ſucceſs, and ſometimes very unfortunate to the *Engliſh*: For [1] this Summer Sir *Thomas Dagworth*, who had formerly perform'd ſuch great things in that Country, was unhappily kill'd, tho our Hiſtorians differ about the manner as well as the time of his Death. [2] *Froiſſart* relates, he was fairly fought with by Sir *Ralph de Cahors*, who had ſixſcore Men at Arms in his Company, before the Caſtle of *Auray*, where were alſo ſlain with him a hundred Men at Arms, *Engliſh* and *Bretons*. *Fabian* ſays indeed, the ſame *French* Knight ſlew him, but that it was by Chance-medley: However, moſt of our Hiſtorians aver, 'twas done by Fraud, and not true Valour; and [3] one relates the matter thus, that the Sons of *Sabater* a Free-Booter, with ſome few others, having firſt laid a ſtrong Ambuſh in the adjoining Woods, paſſed openly that way, as deſigning to forage thereabouts. Of theſe Prolers Sir *Thomas Dagworth* (who was then the King of *England*'s, or rather the young Duke of *Bretagne*'s Lieutenant in thoſe Parts, and lay in the Caſtle of *Auray*) having notice, with only ſixteen men in his company purſued theſe Robbers, who fled on purpoſe toward their Ambuſh: whereupon he enter'd the Wood after them, and there being ſurpriz'd, tho he ſlew a great many of them, yet having received ſeveral Wounds upon his Face and Body, and loſt all his men, who died reſolutely by his ſide, he himſelf was at laſt thruſt thro the Body with a Spear, and ended his Life, as he had all along maintain'd it, with great Honour, having a few years before been made a Baron by the King.

The Defeat and Death of Sir T. Dagworth *variouſly related.*

The Miſtake of the French *Writers concerning his Name.*

Froiſſart, and from him moſt of the *French* Writers, calls this Gentleman *Dangorn*, or *Dagorne*, which Corruption (I ſuppoſe) proceeded from the *French* Pronunciation; for they neither admitting *w* nor *th* in their Language, could no otherwiſe pronounce his Name, or write it.

The E. of Lancaſter *being provok'd by the* French, *marches into their Territories, and takes ſeveral Towns and Caſtles.*

Nor was the Truce much better obſerv'd in *Gaſcoigne*: for the [4] Earl of *Lancaſter*, then Lieutenant General of that Province, having received great Provocations from the *French* by ſeveral hoſtile Actions, was reſolved no longer to endure it; and therefore being accompany'd by the Lord *Stafford* and divers other Noblemen, he marched with an Army of about thirty thouſand men into the *French* Territories, and [5] meeting with no Enemy able to reſiſt him, in about ten days time he took more than forty Towns and Caſtles, and with Fire and Sword ſpoil'd the Country for above forty *French* Miles Southward; and at laſt he came to *Tholouſe*, which he ſummon'd either to ſurrender, or come forth and give him Battel. To which the chief Commanders within returned anſwer, that if he would ſtay five days, they would then come out and fight him. Hereupon he granted them a Truce for four days; but on the fifth, when he ſaw they would not fight according to their Promiſe, he ſet fire to the Suburbs, and ſo returned, having ſpoil'd the Country round about to the great terror of the Inhabitants. Soon after King *Edward* himſelf prepared to make a Voyage into *France*; but the Earl of *Lancaſter* returning in the mean while out of *Gaſcoigne*, ſignified to Him, that according to the extent of his Commiſſion, he had at laſt concluded a further Truce; ſo that Deſign was laid aſide. *Knighton* places this

The Earl concludes a Truce for a time.

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[1] Chron. Rob. Aveſ.

[2] 2 Vol. 153.

[3] H. K. Col. 2602.

[4] Stow, p. 247.

[5] H. K. ib.

Action, as well as ſome others that follow it, under the preceding Year; yet beſides all other Writers putting it under this, it appears it could be no otherwiſe by his own Relation: for he makes this Action to have bin perform'd the ſame Year with the Jubilee at *Rome*, which (as he himſelf preſently after ſhews) was celebrated this very Year.

Several Combats in Bretagne, *notwithſtanding the Truce.*

[1] But tho the War ceaſed for a time in *Bretagne*, between the two Kings, yet did not the Animoſity between the Nations, for ſeveral ſet Combats were appointed, and fought by certain Champions on both ſides, of which it may not be amiſs to give you one Inſtance of many. The Lord *Beaumanoir* being much provok'd at the Incurſions which Sir *Richard Bramber* an *Engliſh* Governor had made upon his Quarters, challeng'd him to fight thirty men againſt thirty, at a certain Day ſtated; upon which they met, and fought with great obſtinacy, till at laſt Sir *Richard Bramber* being ſlain, it ſo diſcouraged his Companions, that the *Engliſh* were worſted, and moſt either kill'd or taken Priſoners, tho they behav'd themſelves very gallantly, eſpecially two Knights, *Knolles* and *Calverly*, and an Eſquire called *Craucort*. This Combat was ever afterwards reckon'd ſo famous, that it was called the Battel of *the Thirty*.

The Spaniards *infeſting the Narrow Seas,* K. Edward *ſets out a Fleet againſt them.*

Yet the moſt remarkable Action which happen'd this Year in relation to *England*, was That perform'd by the King Himſelf at the beginning of the Summer, in a Fight at Sea: [2] For the *Spaniards* being now by the *French* Artifices fallen out with *England*, had, under the Conduct of *Charles de la Cerda* their Admiral, enter'd the *Brittiſh* Seas with a Fleet of forty Men of War, where meeting certain *Engliſh* Merchants that then lay in the Harbour of *Sluice* laden with Wines (lately brought from *France*) the *Spaniards* fell upon them, and either took or ſunk them all; and beſides this did many other Miſchiefs to the *Engliſh* Merchants upon the Coaſts of *England* and *France*. Upon notice of which the King being very much incens'd, preſently got ready a good Fleet of about fifty Men of War, beſides ſmall Veſſels, and [3] was attended by his Son the Prince of *Wales*, and the Earls of *Warwick*, *Northampton* and *Saliſbury*, with divers others of the braveſt Barons of *England*; who with their Retinues made a conſiderable Force, beſides the King's own Archers and Men of Arms. He took ſhipping at *Sandwich*, and preſently ſail'd out to encounter the *Spaniards*; and on the nine and twentieth of *Auguſt* in the morning they met with them in their return near *Winchelſea*; and then began a cruel Fight between the two Fleets: Tho the *Spaniſh* Ships being higher built, had at firſt ſome advantage, by the ſhooting of Arrows and caſting other things upon their Enemies; yet by the force of the *Engliſh* Archers, who ſhot ſo thick upon the *Spaniards*, that they could ſcarce ſtand on the Deck, as alſo by the Bravery of the *Engliſh* Seamen and Men at Arms, when they came once to grapple and board the *Spaniſh* Ships, they had ſoon the better of them. The Fight laſted from Morning till dark Night, when they were forc'd to caſt Anchor, expecting a new Engagement the next day: But to avoid this, the *Spaniards* thought it beſt for them to ſail off in the night, and leave ſeventeen, or, as others relate, above twenty Ships in the hands of the *Engliſh*, who loſt no Perſons of note, but only Sir *John Goldesborough*, a young Knight of great Valour, and comely Shape, and who was no leſs lamented

The Spaniſh *Fleet defeated, and 17 of their Ships taken.*

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[1] Hiſt. de Bret. p. 301.

[2] T. W. H. K. Col. 2602.

[3] MS. Chron. Col. S. Ben.

by the King than he was by the Prince his Son, to whom he was very dear, as being about the ſame Age with him, and had the ſame warlike Inclinations. Thus did this Great Prince ſeek all Occaſions, as well by Sea as Land, to expoſe his Perſon, not only to get Glory, of which He had enough already, but to defend the Nation from foreign Enemies, that would have inſulted it; and He ſeems ſo much to have valued Himſelf on that account, that on the firſt Pieces of Gold He ever coin'd, we find his Figure repreſented in the middle of a Man of War, with a drawn Sword in his Hand.

A little before the Sea-fight, [1] *Philip* King of *France* deceaſed on the twenty ſecond of *Auguſt*, after He had been not much above a Year married to the Daughter of the King of *Navarre*, a young Lady with whom he was much taken, tho perhaps it did not very well agree with his Age and Conſtitution. On his Death-bed He gave very good Advice to his Son, and the reſt of the Princes of the Blood, as that they ſhould preſerve Concord among themſelves, and make a Peace, if it could be obtain'd; to obſerve good Order and Juſtice, and to eaſe the People in their Taxes, with other excellent things, which Princes on their Death-beds do more often recommend to their Succeſſors than practiſe themſelves in their own life-times. This Prince was very brave in his own Perſon, yet more fortunate in Treaties than in Battels: He was very ſevere to his People, ſuſpicious, revengeful, and often ſuffer'd himſelf to be too much tranſported by his Paſſion. This is a modern *French* Hiſtorian's Character of Him, which being very juſt, I have tranſlated without ſcarce altering a word.

[1] Mezeray ad hunc An.
The Death of Philip *King of* France, *with his Character.*

He was ſucceeded by his Son *John* Duke of *Normandy*, who not long after his Acceſſion to the Throne appointed certain Commiſſioners to treat with thoſe of King *Edward* for confirming the Truce lately made between the two Crowns, as appears by a [2] Commiſſion ſtill upon Record, bearing date the 25*th* of *November*; as alſo by another Record on the ſame Roll, that this Truce was again continued till the Feaſt of Pentecoſt in the Year 1356.

He is ſucceeded by his Son Duke John, *who confirms the late Truce.*
[2] Rot. Fran. 24 Ed. 3. m. 2.

As for Eccleſiaſtical Affairs, the moſt conſiderable was, that [3] Pope *Clement* the Sixth, that He might ſee a Jubilee in his own time, and alſo gain a good Sum of Mony by the Indulgences then to be granted, (being the fiftieth from the firſt Jubilee inſtituted by Pope *Boniface* the Eighth) ordain'd another to be celebrated at *Rome* on the 25*th* of *March* this Year, and ſo for every fifty Years for the time to come. But [4] King *Edward* wiſely foreſeeing, that a great Sum of Mony was like to be drawn out of the Nation by ſo many People's flocking to *Rome* upon the account of Indulgences, expreſly forbad all Perſons from going thither.

[3] O. Raynold. ad hunc An.
The Pope holds a Jubilee, and reduces it to 50 Years.
[4] H. K. Col. 2601.
K. Edward *forbids his Subjects going to it.*

When [5] the Pope underſtood this, He ſent his Nuncios to the King, deſiring of Him, firſt, that He would not hinder the Paſſage of thoſe who ſhould viſit the Places of the Holy Apoſtles: Secondly, that He would obſerve the Truce, and that the Earl of *Lancaſter* might not act any Hoſtilities in *Aquitain* to the hindrance of thoſe who deſired to viſit the Holy Places; and laſtly, that He would not hinder thoſe, who were promoted by his Bulls at the Court of *Rome*, from receiving Benefices. To the firſt Article it was anſwered, that the King being buſied in his Wars, did therefore want to be aided with what

[5] Id. ib.
The Pope ſends his Nuncios to the King, deſiring him to take off that Prohibition, with the King's Anſwer.

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was his own, and that it was neceſſary to preſerve the Treaſure of his Kingdom, leſt while the War continued, it ſhould be exported out of the Realm to the prejudice of Him and his Subjects: And further as to this point, the King cauſed it to be proclaim'd, that all *Engliſh*-men, both at *Rome* and other Places beyond Sea, ſhould make haſte to return home ſo ſoon as might be, on pain of forfeiture of Life and Goods. As to the ſecond Article, relating to the Truce, it was anſwered, that the King of *France* had often acted Hoſtilities during the Truce upon the Lands of the King of *England* treacherouſly, to the deſtruction of his People, and contrary to the Conventions contain'd in the ſaid Truce. And as to the third Article concerning the *Proviſors*, it was anſwered, that the King would graciouſly receive all Clergymen making uſe of the Papal Proviſion, who were of good capacity, and worthy of Promotion, but not others. And with this Anſwer the Pope's Nuncios return'd, without doing any thing conſiderable in the buſineſs for which they came.

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[1] Rot. Clauſ. 24 E. 3. m. 3.
[2] Rot. Parl. 25 Edw. 3. Vid. Cot. Abridg. p. 73.

Ld Lionel *begins the Parliament in the King's abſence, who being returned, Sir* W. Shareſhal *declares the cauſe of their Meeting.*

The King toward the end of the laſt Year having need of the Advice of his Parliament, [1] had on the five and twentieth of *November* before iſſued out his Writs for one to meet on the Octaves of our Lady's Purification; and from [2] thence, becauſe many of the Lords were not yet come up to Town, it was adjourn'd until Friday the 15*th* of *February* following, at which day the Lord *Lionel*, the King's Son, with many Noblemen, being aſſembl'd in the painted Chamber, the King's Commiſſion was read, authorizing him to hold the Parliament during his Majeſty's Abſence, who it ſeems was now gone upon ſome Progreſs or Expedition, which our Hiſtorians do not mention. Then the Parliament was again adjourn'd till Tueſday following, when the King being return'd, they again aſſembl'd. Sir *William de Shareſhal* the Lord Chief Juſtice, in the preſence of the King, Lords and Commons, declar'd that the cauſe of their Summons was, firſt, becauſe the King, having in the two and twentieth Year of his Reign held a Parliament, was then hinder'd from continuing it, as alſo from calling another, by reaſon of the late dreadful Plague, until this time: Alſo that the buſineſs of his Wars required their concurrence, becauſe the Peace was not punctually obſerv'd, and many domeſtick Matters were likewiſe to be taken into conſideration, for that Labourers refuſed to do their Service at the reaſonable and uſual Rates; and laſtly, becauſe the Treaſure of the Realm was exported. The Cauſes of the Parliament being thus opened, the King by the ſaid Chief Juſtice commanded the Commons to conſider and adviſe what was beſt to be done to redreſs theſe Evils.

The Statutes of Labourers and of Proviſors *now made.*

In obedience to which, and for the remedying of exceſſive Wages of Labourers, and all ſuch Artificers, there was then enacted that remarkable Statute, entitul'd *de Servientibus*, of the five and twentieth of this King, which the Reader may find in our printed Statute-Books, tho it be now obſolete: And it was then alſo enacted, that every man that purchaſeth any Proviſions of Abbies or Priories in the Court of *Rome*, both he and his Executors, *&c.* which do ſue and make Execution of ſuch Proviſions, ſhall be out of the King's Protection; and that a Man may do with them as with Enemies of the King and his Realm.

Beſides the King's Anſwers to the Petitions of the Commons (for which I refer the Reader to [1] *Cotton's* Abridgment) there were ſeveral things done, tho of leſs moment, that yet deſerve our notice, particularly the advancement of ſome Noblemen to higher Titles; for in [2] this Parliament the King promoted *Henry* Earl of *Lancaſter* to be Duke of the ſame Place, as an acknowledgment of the great Services he had perform'd for the Crown. But this was done by the general Conſent of the whole Parliament, and he was inveſted by the Cincture and a Sword, with Power to hold a Court of Chancery in the County of *Lancaſter*, and there to iſſue out Writs under his own Seal, as alſo to hold Pleas concerning civil Cauſes ariſing within that Dutchy. This deſerves ſomewhat more our conſideration, becauſe it is commonly beleiv'd, that *Lancaſter* was not advanced to be a County-Palatine till the time of King *Henry* the Fourth; yet this is certain, that as Prince *Edward*, by being created Duke of *Cornwal* ſome years before, was the firſt Duke that ever had been in *England*; ſo the Duke of *Lancaſter* was the ſecond that was advanced to that Dignity, which was afterwards beſtowed upon *John* of *Gaunt*, and the other Sons of King *Edward* the Third.

[1] P. 74.

[2] Rot. Pat. 25 E.3. Par.1. m. 18.

The E. of Lancaſter *is made a Duke.*

At the ſame time alſo the [3] Lord *Ralph Stafford*, for his great Services done the Crown, was in this Parliament advanced to the Title of Earl of *Stafford*, with a Penſion of one thouſand Marks, till the King could provide Lands of that value to ſettle on him and his Heirs.

[3] Ib. m. 25.

The Lord Stafford *made Earl of* Stafford.

We ſhall now ſay ſomewhat of the Affairs of *Scotland*. [4] The King had the laſt Year ſent the Biſhop of *Durham*, and the Lords *Stafford*, *Piercy* and *Nevil*, his Commiſſioners, to treat with the Lord *Robert Stuart*, and other Nobles of that Kingdom, at *York*, concerning the delivery of King *David* out of Priſon, and making a firm and final Peace between the two Nations. But theſe Commiſſioners not being able to come to a Concluſion, after a tedious Treaty, K. *David* thereupon growing impatient of his Impriſonment, reſolv'd to return home, and try if he could perſuade his Nobility to raiſe his Ranſom, and agree to ſome other Terms of Peace with the *Engliſh*: So that upon his own offer he agreed with King *Edward*, that upon the delivery of the Lord *John Stuart*, Son and Heir to the Lord *Robert*, with ſeveral other young Noblemen as Hoſtages for his Return, in caſe the Treaty did not take effect, he was to be ſet free. In purſuance of which, the King granted Letters of Safe-Conduct for the Hoſtages, with Power to certain Commiſſioners to receive them, and to take King *David*'s Oath for his Return, in caſe no concluſion were made. [5] This Commiſſion bears date 5th of *September An.* 25. of *Edw.* 3. and was to continue in force till the Quindene of *Candlemas* next following; and on the 3d of *November* it was again renew'd till the end of *July* next following; by which time the Hoſtages being come, according to the Agreement, and diſpos'd into the Caſtles of *York* and *Nottingham*, King *Edward* thereupon ſent his [6] Precept, dated the 5th of *October*, to Sir *John Copland* High Sheriff of *Northumberland*, to deliver the ſaid King to the Biſhops of *Durham* and *Carliſle*, the Earl of *Northampton*, the Lords *Piercy* and *Nevil*, or any two of them, to put him into the hands of his own Subjects, upon the conditions agreed on. So towards the latter end of *October*, he

[4] Dug. Vol I.

[5] Rot. Scot. 25 Ed. 3. m.3.

[6] Ibid.

being thus at liberty, went into *Scotland*, in hopes by his Preſence to quicken his Nobility to come to a Compoſition with K. *Edward* concerning his Ranſom; but he ſtaid there till the beginning of the next Year, without being able to bring them to the Terms propos'd, as you will find hereafter.

As to foreign Affairs, the Truce was but ill obſerv'd this Year in *France*, each Nation taking what advantage they could upon the other: [1] For Sir *John Beauchamp* Governor of *Calais* finding the ways to that Place much infeſted by the *French*, marched forth of the Gariſon with three hundred Men at Arms, and two hundred Archers on Horſeback, and took much Booty in the adjoining Country for ten Leagues together; but in his return he was encounter'd by the Lord of *Beaulieu* with a Brigade of two thouſand *French*-men; which Lord notwithſtanding he ſlew, and had doubtleſs routed all his Company, but that before he had compleated the Victory, another ſtronger Party of the Enemy came upon him; ſo that he himſelf and twenty more Knights of *England* were taken Priſoners, almoſt all the reſt of his Men being ſlain; but Sir *John* and his Fellow Priſoners were ſoon redeemed, and ſent into *England*.

[1] H. K. Col. 2602.

The Governor of Calais *marches out, and does much miſchief to the* French *Territories. And in his return routs the Ld of* Beaulieu's *Forces, but is at laſt taken Priſoner.*

But for the preſent he was ſucceeded by [2] Sir *Robert Herle*, who [3] being recruited with a ſelect Body of Men commanded by the Lord *Manny*, marched forth into the *French* Territories, and having done a great deal of damage in the Neighbourhood, came off not only without loſs, but with a large Booty of Oxen and other Cattle; inſomuch that a fat Ox at *Calais* would hardly yield ſixteen Pence Sterling.

[2] Rot. Fran. 32 E. 3. m. 8.

[3] Stow, p. 251.

He is ſucceeded by Sir R. Herle, *who with the Ld* Manny *makes another Incurſion.*

[4] About Eaſter King *Edward* ſent over thither the new Duke of *Lancaſter*, who ſoon after marching out of *Calais* along by the Sea-Coaſts of *Artois* and *Picardy*, burnt the Suburbs of *Boulogne* to the very Walls, and made an Aſſault alſo upon the Town it ſelf, but could not prevail, becauſe the Scaling-Ladders which he brought with him were too ſhort: However he fired all the Veſſels in the Haven, and then advanced along as far as *Eſtaples* on the River *Chanche*, which having plunder'd, he took a Compaſs to return back on the Right-hand, [5] where he did the like to *Fauquenberg*, and after that to *Terouenne*; only here many of his Men were hurt by the Townſmen, who fled into the Church, and from thence made a gallant Reſiſtance, till that alſo was taken, and the *French*-men for the moſt part put to the Sword. In the Havens of theſe Towns he fired above a hundred Veſſels of all ſorts, and then went on burning all about up to *Arques*, and the Gates of *St. Omers*; and having ſufficiently made known the Terror of his Arms, he return'd triumphantly with many Priſoners and much Booty to *Calais*. But ſoon after the occaſions of the late breach of the Truce between the two Kings being fully concerted, a further Truce was enter'd into with this condition, that either of the Kings might renounce it upon notice, whenever He pleaſed.

[4] H. K. ibid.

The D. of Lancaſter *ſent over to* Calais.

[5] Stow ib.

This Year alſo the late Differences with *Spain* were again compos'd, and a [6] Truce was concluded between *Pedro* King of *Caſtile*, and the King of *England* for ſeveral Years; ſo that a free Trade and Commerce was again renewed, which had been for ſome time interrupted.

[6] Id. ib.

A Truce concluded with the K. of Caſtile.

But in *Gaſcogne* the King's Affairs met with various Succeſs; for to look back a little, on the firſt of *April*, before the laſt Truce was renew'd, the [7] Lord *Guy de Neſle*, Marſhal of *France*, march'd in a

[7] Froiſ. c. 153.

hoſtile

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hoſtile manner with a great number of Men at Arms, ſpoiling and ravaging all *Xaintogne* as far as the Town of *St. John d' Angely*; but was at laſt met by Sir *Walter Bently* the King's Lieutenant, and *Edmund Rous*, a *Norfolk* Man, and Captain of the Caſtle of that Place, who with their Followers, making in all but ſix hundred Men at Arms, beſides Foot, encounter'd him valiantly, and had ſuch Succeſs, that they ſlew and routed the whole Body of the *French*, took Priſoners Sir *Guy de Neſle* himſelf, and Sir *Arnold d' Endreghan*, together with the Lord *William de Neſle*, the Marſhal's Brother, and ſix other Knights of Quality, and of Eſquires and Gentlemen about one hundred and forty. Yet in *September* following the *French* recover'd the Town and Caſtle of St. *John d' Angely*, after it had been poſſeſs'd by the *Engliſh* five Years, without one Stroke given or taken: For the Gariſon being left very thin, and without Proviſions, was fain to yield up the Place on reaſonable Conditions, becauſe they had not wherewithal to ſubſiſt. But it is time to return into *England*.

The Marſhal de Neſle *ſpoiling the Country of* Xaintogne, *is fought by Sir* Will. Bently, *and taken Priſoner.*

The Town and Caſtle of St. John d'Angely *taken by the* French.

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The late notorious Breach of the Truce by the *French* in *Gaſcogne*, gave King *Edward* an occaſion to reſolve to renew the War upon *France*; and to that end, He had already iſſued out [1] Writs bearing date the fifteenth of *November*, for a Parliament to meet on the Feaſt of St. *Hilary*, or thirteenth of *January* following; but by reaſon that ſeveral of the Lords were not then come to Town, [2] it was adjourn'd for five days longer. When the Lords and Commons were aſſembl'd, the ſame [3] Sir *William Shareſhal* Chief Juſtice, who had declared the Cauſes of the laſt Parliament, was order'd to do the like in this, being to the ſame effect as had been done before: As firſt, he ſet forth the Uſurpation made by the late *Philip* of *Valois* in his ſeizing of the King's Rights and Poſſeſſions in *Gaſcogne* and other Places, and making an unjuſt War in thoſe Countries, beſides other Miſchiefs both by Sea and Land. Then he proceeded to ſet forth what had been done in former Parliaments by their adviſing the King to procure Allies abroad; ſince upon their promiſing to aid him with their Bodies and Goods, He had enter'd into ſuch Alliances, and made War upon his Adverſary, for He could not otherwiſe have a reaſonable Peace: And tho the King had often made Truces with Him, yet during thoſe Intervals, he intending to deceive and be too hard for the King, had broke them every way, proſecuting his Malice againſt Him and his Allies; and that ſince his Deceaſe, his Son *John* continuing the ſame Wrongs his Father had begun, had poſſeſs'd Himſelf of the Kingdom of *France*, and contrary to the laſt Truce confirm'd and ſworn to by both Kings, had already violated it in *Gaſcogne* and *Bretagne*, as alſo by Sea; and had lately ſent to the *Scots* to continue the antient Alliance made between the *French* and them, for the Deſtruction and Subverſion of the King and People of *England*.

The King calls another Parliament.

Sir W. Sharſhal *declares the Cauſes of this Parliament.*

[4] Then Sir *William* concluded with thanks to the Commons on the King's behalf, for the Aids they had given Him, and for the Goodwill He had always found in them; and prays them to adviſe upon theſe things till the next day, and be then at *Weſtminſter* a little after Sun-riſing in the Painted Chamber, to deliberate and to hear if the King would ſay any thing farther touching the calling of this Parliament, and to ſhew the King their Grievances, if they had any, that Remedy might be given thereunto, which was perform'd accordingly.

Then

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[1] Rot. Clauſ. 25 E. 3. m. 5. dorſo.

[2] Rot. Parl. 25 E. 3. Par. 2.

[3] Ibid. n. 7.

[4] Ibid.

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[1] Ibid. n. 8. *Sir* William *charges the Commons to appoint a Committee to treat with the Lords.*

Then at their[1] next appearing, Sir *William* charged the Commons on behalf of the King, that, to ſhorten their ſtay in Town, and for the quicker diſpatch of theſe matters, and others that might be laid before them by the King, they would immediatly go together to ſome Place at *Weſtminſter*, and chuſe four and twenty or thirty Perſons out of their whole number, to be on the morrow in the Painted Chamber, that the King might ſend thither to them ſome Great Men, to confer with them upon the buſineſs aforeſaid.

[2] Ibid. n. 9. *Sir* Bartholomew *gives a full account of the Malice of the* Fr. *King, and deſires them to adviſe how to prevent it.*

Then[2] on Friday all the Commons came before the Prince and the other Great Men, in the White Chamber, where Sir *Bartholomew Burgherſh* gave them an account of the Malice and Falſhood of the King's Adverſary of *France*; how He had broke the laſt Truce, which he declar'd much after the ſame manner as he had done at their firſt Meeting; and that the ſaid Adverſary, by all the ſubtile Contrivances his Council could invent, ſtill endeavour'd every where to diſturb the King and his Subjects; and therefore he ſaid, that the Commons ought diligently to adviſe what might be the beſt way for the King to oppoſe and check the aforeſaid Malice and Falſhood, for the Safety of Himſelf, his Kingdom and Subjects. Then preſently after this Declaration, Sir *William* told the Commons, if they had any Petitions of Grievances, or for the amendment of the Laws, they ſhould bring them into Parliament; and alſo acquainted the Prelats and Lords, that they were to attend the buſineſs of all Perſons, and of Petitions, in the Places where they were uſually aſſigned.

[3] Ibid. n. 9.

* *In the* French la Communaltee, *i. e.* the Community, *as appears by what immediately follows.*

[3] Then the Commons held a long Conſultation with the **Community*, or Body of the Peers, concerning the granting an Aid, whereby the King might oppoſe the Malice of his Enemy; and at laſt came to this reſult, to ſhew before the King and the Great Men in Parliament, that the Common People of the Land were much impoveriſh'd by the late mortal Peſtilence, as alſo by many other Burdens, Taxes, Taillages, and Payments that had been laid upon them: But yet notwithſtanding theſe Miſchiefs, they having regard to the neceſſary Defence that ought to be made for the Safety of the Nation againſt the violent Malice of the Enemies thereof, delivered to the King in full Parliament a Roll containing as well the Aid, which they had intirely and with one accord granted, as the Petitions concerning the Commons of the Land, to which they prayed the King to give a good and quick Anſwer. Whereupon He granted their requeſt, and thanked them for the Great Aids given Him before, and for that now granted, and for the Good-will which He had always found in his Commons before, and alſo now finds in this Affair.

[4] Ibid. n. 10. *The Parliament grants the King a great Tax upon certain conditions.*

Then[4] follows the Grant of *three Tenths* and *three Fifteenths* to the King by the Great Men, and the whole Commons of the Land, to be paid as the laſt *Tenths* and *Fifteenths* were, within three Years, *&c.* upon the Conditions following, *viz.*

N. 11.

That all the Fines, Iſſues, Amerciaments, Profits and Exciſes, levied or to be levied, upon the Labourers, Artificers, Regrators, *&c.* which were for taking of more Wages than had been allowed by a former Statute, were to be paid for the advantage of the Commons, as appears by the Statute at large, which together with the Anſwer, is now obſolete. The other Petition is, that hereafter no Tax, Taillage,

N. 12.

Aids,

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Aids, or Charges be demanded, or levied of the Commons; and that all the reaſonable Petitions pray'd by the Commons, may be granted, confirm'd and ſeal'd before the Departure of this Parliament. To which the King's Anſwer was; [1] That as to Tax and Taillage, 'tis not the Intention of the King, or the Great Men, that they ſhould ever be charged without their conſents: And as to granting their other reaſonable Petitions, the King is pleas'd it ſhould be done.

[1] Ib. m.

The King's Anſwer to the Commons Petitions.

Alſo the Commons pray, that the *Loans* that were granted to the King by many of the Commons, may be releaſed, and none compelled to make ſuch *Loans* for the future againſt his Will, for that it was againſt Reaſon, and the Franchiſe of the Land; and that Reſtitution might be made to thoſe that had made the *Loans:* The King's Anſwer was, *That it ſhould be ſo.*

N. 16.

Alſo, [2] that whereas the Juſtices aſſigned in divers Counties have judged many Men, that were arraign'd before them as *Traytors,* for divers cauſes not known to the Commons to be *Treaſon;* therefore the King by his Council, and by the Great and Wiſe Men of the Land, would pleaſe further to declare the Points of *Treaſon* in that Parliament. The Anſwer was, as at large in the Statute of Five and twentieth of *Edward* the *Third,* Cap. 2. which ſets forth, and declares what Crimes ſhall be *Treaſon* for the future.

[2] Ib. n. 17.

But to add ſomewhat of private Concern. In [3] this Parliament the Lord *John Mattravers,* who was thought to have had a hand in the murther of King *Edward* II. having ſome years ſince come in, and ſubmitted himſelf to the King's Mercy, and lately receiv'd his Pardon, now petition'd the Parliament to have it by them confirm'd; which in conſideration of his late faithful Service to the King in *Flanders* was granted accordingly, and he was again reſtor'd to his Honor and Eſtate, which had been long ſeiz'd in the King's hands.

[3] Ib. n. 55.

The Pardon of the L. Mattravers *confirmed in Parliament.*

Before we leave this Parliament, I cannot but take notice that the diligent Abridger of the Records, which paſſes under the Name of Sir *Robert Cotton,* very well [4] obſerves, That there is an Error in the Clerk that entred the Rolls of this Parliament, under the laſt Year or Twenty fifth of this King, which could not be, for then this Parliament being held at the Feaſt of St. *Hilary,* muſt have been before the laſt, ſince this King begins his Reign from the firſt of *January,* and ſo there would not have been above a Month's time between the holding of this, and the beginning of the former Parliament: which was impracticable, beſides other ſufficient Reaſons, that you will find in the place above-cited: and further, the Writ of Summons on the Cloſe-Roll already mention'd, bearing date on the 15*th* of *November* in the 25*th* year of this King, for a Parliament to meet at the Feaſt of St. *Hilary* following, which was in the 26*th* of his Reign, muſt relate to this Parliament, and no other. I have taken notice of this, to let the Reader ſee, that there may be Errors ſometimes (tho very rarely) in the Parliament Records themſelves, which may notwithſtanding be corrected either by other Records, or the Hiſtory of the Time.

[4] Cot. Abridgment, p. 78.

The Error of the Parliament Clerk corrected

I find nothing more as to our own Affairs worth taking notice of, only that [5] about the beginning of *Auguſt,* the Chief *Staple,* or Market for *Engliſh* Wool, was ſettl'd at *Weſtminſter,* by order of the King and his Great Council; where it continued for ſome years, till it was

[5] Chron. Rob. Aveſb. MS.

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removed by the ſame Authority to *Calais*, to the great diſcontent of our *Engliſh* Merchants.

In *Scotland* King *Edward's* Affairs this year had various ſucceſs: For King *David*, who had been permitted to return home for a time, to try to raiſe Mony for his Ranſom, and alſo to perſuade his Subjects if poſſible to own the Superiority of the King of *England* over *Scotland*, found them inclinable enough to the former of theſe Demands; but as for the other, they plainly told him, That they would not upon any terms be ſubject to the *Engliſh*: upon which King *David*, not being able to perform that for which he went, return'd into *England* about the beginning of *April*, as appears by a [1] Commiſſion bearing date the 28°. *Martii*, which was ſent to the Sheriff of *Yorkſhire*, to conduct the *Scottiſh* Hoſtages to *Berwick*, to be there 15 days after *Eaſter*, that being the day prefix'd for his return to that Town; from whence he went to *London*, and for ſome time remain'd a priſoner in *England* as he was before.

The Governor of Calais *gets the Caſtle of* Guiſnes, *by corrupting the Deputy-Governor.*

But as to *France*, we ſhall find the Truce to have been very ill obſerv'd on both ſides: For King *Edward* was even with the *French* for taking the Caſtle of St. *John d'Angely* the laſt Year, ſince he now became Maſter of a Place of a much greater Conſequence, for the ſecuring his laſt Conqueſt of *Calais*; it was the Caſtle of *Guiſnes* (lying within five miles of it) the Head-Town of a County of the ſame Name, and being very ſtrong, was a great Bridle to the Gariſon of *Calais*; ſo that they could not go out to Forage on that ſide: and this King *Edward* got poſſeſſion of upon very eaſy Terms, and with no great difficulty, it being ſurpriz'd in this manner. [2] The Governor of *Guiſnes* being then at *Paris*, had left the care of it to Sir *William Bauconray* his Deputy; and the Governor of *Calais* laying hold of this Opportunity, having corrupted the ſaid Sir *William*, had the Caſtle betray'd to him for a ſum of Mony. Upon the taking of this Caſtle in time of Truce, when Complaint was made of it by the *French* King's Envoys to King *Edward*, his Anſwer was, *That* Philip *his Father, by attempting to purchaſe* Calais *in that manner, had taught the* Engliſh *Commanders, that* Buying *and* Selling *was no Breach of the Truce.*

K. Edward's *witty Anſwer when it was complain'd of.*

Villani *gives ſomewhat a different Account of the taking of this Caſtle.*

But [3] *Villani*, the *Florentine* Hiſtorian, gives a different Account of the Taking of this Place; as that it was not betray'd but ſurpriz'd on the ſudden, by the means of an *Engliſh* Soldier; tho the Story is related at large in *Stow*. *Lancaſter*, an *Engliſh* Archer, being a priſoner in that Caſtle, found means to eſcape to *Calais*, where giving ſome of his Comrades notice of a certain low Wall that ran croſs the Ditch for the uſe of the Fiſhermen, and was cover'd with not above two foot of Water, by which it was eaſy to get into the Caſtle, and ſurpriſe it; upon this Diſcovery, about thirty or forty ſtout Fellows, his Comrades, combin'd together to put this Deſign in Execution; who getting over the Ditch by this low Wall, ſcal'd the Walls with certain Ladders they brought with them for that purpoſe, and killing moſt part of the Gariſon, made themſelves Maſters of the Place, which was afterwards delivered up by the ſaid *Lancaſter* to King *Edward's* Order, who new fortified it, and therein put a good Gariſon, and ſo it afterwards became a ſtrong Frontier on that ſide. Which of theſe Relations is the trueſt, I will not diſpute; but the *French* Hiſtorians all agree, that it was betray'd; and, as a confirmation of it, further relate, that the Deputy-Governor who betray'd the Place, being ſometime after taken by the *French*, was for his Treaſon condemned at *Amiens* to be torn in pieces with Horſes.

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[1] Rot. Scot. 26 Ed. 3. m. 3.

[2] Du Cheſne, Mezeray ad hunc An.

[3] L. 3. c. 23.

[1] But the *French* by this Action looking upon the Truce to be broken, not long after revenged this Loſs in a great meaſure, cutting in pieces about two thouſand *Engliſh*, who had march'd from *Calais* as far as *St. Omers* to plunder the Country.

The L. Charny *ſeizes on a Nunnery, and from thence he ſeizes the Caſtle of* Guiſnes.

Soon after the taking of this Caſtle, the *French* being reſolv'd to recover it, the Lord *de Charny*, being newly ranſom'd from his Impriſonment, marched about Whitſontide with twenty thouſand Men into the *Engliſh* Territories, and ſeiz'd upon a Nunnery called *La Baſtie*, lying within a Bow-ſhot of the Caſtle of *Guiſnes*: this Place, tho the *Engliſh* had ſpared to fortify it out of pure Devotion, yet the *French* being Maſters thereof, removed the Nuns to another Cloiſter, and fortifying this, put a Gariſon into their very Church; and having gain'd this advantageous Poſt, which commanded the Caſtle of *Guiſnes*, they lay'd cloſe ſiege to it; from whence, tho the Beſieged made frequent Sallies upon the Enemy, yet they had little or no effect towards raiſing of the Siege, till at length the Gariſon of *Calais* joyning with thoſe of *Oye*, *Marque* and *Hammes*, made up a conſiderable Body of Men, with which falling upon the *French* at unawares in their Trenches, routed them, and kill'd a great many, and having raiſed the Siege, ſet upon the new Fort of *La Baſtie*, took it, and, diſmantling the Walls, level'd it to the Ground. And thus was the ſtrong Caſtle of *Guiſnes*, with the County belonging to it, ſecur'd in the *Engliſh* poſſeſſion.

[2] About the ſame time King *Edward* kept his *Whitſontide* in great Splendor at *Weſtminſter*, being attended by the Chief of his Nobility; and thoſe of *France* and *Scotland* that were then Priſoners, were ſplendidly entertain'd at that Solemnity. And eſpecially Count *Charles* of *Blois*, who was a near Kinſman to Queen *Philippe*, by whoſe Interceſſion he not long after obtain'd his Liberty.

The War in Bretagne *carry'd on with good ſucceſs, and the Marſhal* de Neſle *routed by Sir* Walter Bently, *&c.*

But we will now look into *France*, where we find that the War in *Bretagne* was ſtill carry'd on for the Advantage of the *Engliſh* Intereſt; [3] for the Lord *Guy de Neſle*, Marſhal of *France*, being now at Liberty, hoping to repair the loſſes he had ſuſtain'd, rais'd this Spring a conſiderable Army in *Bretagne*, where about the middle of *Auguſt* he was again valiantly encountred by Sir *Walter Bently*, Sir *Robert Knolles*, and other *Engliſh* Captains, near *Mauron*, between *Rennes* and *Ploermel*; and after a long and doubtful Fight, from four in the afternoon till it was dark, the *Engliſh* being but three hundred Men of Arms, and ſix hundred Archers, the *French* tho above four times their number, were utterly diſcomfited, ſlain or taken priſoners; the Chief of whom was the Marſhal *de Neſle* their General, together with thirteen Lords, above one hundred and forty Knights, and as many Eſquires, and five hundred Men of Arms, beſides common Soldiers that were not number'd; as alſo above one hundred and thirty Lords and Knights, as appears more at large from Sir *Walter Bently*'s own Relation to the Lord Chancellor of *England*, ſet down at large in [4] *Robert Aveſbury*'s Manuſcript Chronicle. This proved a

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[1] Stow's Chron.

[2] T. W. ad hunc An.

[3] Froiſ. c. 153.

[4] Chron. Rob. Aveſb.

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great blow to the *French* Intereſt in thoſe parts, and was not to be eaſily repair'd.

[1] Id. ib.

Certain Noblemen of Bretagne *come over to treat about the delivery of Count* Charles.

[1] Soon after this Defeat, certain Noblemen of *Bretagne*, who took part with Count *Charles* of *Blois*, came over into *England* with Letters of Safe-Conduct, to treat of a Peace between the King and their Lord, who was ſtill a Priſoner in *England*; as alſo concerning his Diſcharge, which was concluded on theſe Conditions: That the Earl upon payment of forty millions of *Florins* in part of his Ranſom, ſhould have his Liberty to return home, leaving his Sons as Hoſtages for the remainder. And there was that expectation of a perfect Reconciliation between the King and him, that a Treaty of Marriage was now alſo ſet on foot between his eldeſt Son, and one of the King's Daughters; upon the Concluſion of which, Count *Charles* was quietly to enjoy the Dutchy of *Bretagne*. But this came to nothing, by reaſon of the freſh Hoſtilities that were committed [2] by Count *Charles* when he was at Liberty, againſt King *Edward*'s Forces in the Iſle of *Jerſey*, whom ſome time after landing he defeated, and took poſſeſſion of the place for himſelf; which treacherous dealing ſo far incenſed the King, that he broke off all further Treaty with him.

Yet all further Treaty is broke off, by reaſon of the Count's ſeizing the Iſle of Jerſey.

[2] H. K. Col. 2607. *This Iſle is called in our Author the Iſle of* Triſtrem, *but why I know not.*

In the mean while in *England*, there was nothing but Feaſting and Jollity; for [3] *William* Duke of *Bavaria*, Son to *Lewis* the late Emperor of *Germany* (and in Right of his Mother, Earl of *Hainault*, *Holland* and *Zealand*) came into *England*, and by the King's Leave married the Lady *Mathilda*, Eldeſt Daughter to *Henry* Duke of *Lancaſter*, and the Relict of *Ralph* Eldeſt Son of the Earl of *Hartfort*, who dying three Years before, left her a Beatiful Young Widow. The Duke her Father was then travelling towards *Pruſſia*, to make War againſt the Heathens in thoſe Parts; but being taken Priſoner in *Germany* by the ſecret Practice of *Otho* Duke of *Brunſwick*, [4] he was forc'd to redeem himſelf by paying three hundred *Scutes* of Gold for his Liberty; ſo that before he could be diſcharg'd, there was a Truce made in *Pruſſia*, between the Chriſtians and the then Infidel *Pruſſians*; whereupon he was fain to return homeward with ſome Regret: But this Expedition begot a mighty Quarrel between the Duke of *Brunſwick* and him, which was like to have ended in a ſingle Combate, of which I ſhall give you a ſhort Account.

[3] H. K. Col. 2603.

The Duke of Bavaria *arrives in* England, *and marries the D. of* Lancaſter's *Daughter*.

[4] Dugd. Baron. Part. I. Vol. p. 786.

Who is made a priſoner in his Return from Pruſſia *by the Duke of* Brunſwick.

[5] The Duke of *Lancaſter* being in his Return, firſt inform'd by a certain Knight at *Cologne*, that it was the Duke of *Brunſwick* who had thus caus'd him to be arreſted, took an opportunity to complain of this Action before the Marqueſs of *Juliers* and other Noblemen, as they walked together in the great Church of that City; ſaying, That ſuch a diſhonorable Treatment of a Stranger and Nobleman that never injur'd him, was unworthy the Duke's Honor and high Quality; which words being not long after related to him, by ſome that were there preſent, he took it for ſo provoking an Affront, that preſently after the Duke of *Lancaſter*'s Return into *England*, he ſent him a Challenge in writing under his Seal, wherein he affirm'd the Words ſpoken of him were falſe, which he offer'd to make good by fighting with him Body to Body, either between the Caſtle of *Guiſnes* and *St. Omers*, or elſewhere as the King of *France* ſhould appoint. Upon the receipt of which Letters, the Duke of *Lancaſter* having obtain'd a Licence from the

[5] H. K. ib. Froiſ. c. 153.

The D. of Lancaſter *complaining of it, the D. of* Brunſwick *ſends him a Challenge*.

the King his Maſter, as alſo a Saſe-Conduct from the *French* King, went immediately over to *Calais*, and being met at *Guiſnes* by the L. *de Clermont*, Marſhal of *France*, with a Noble Retinue of Men at Arms (whom King *John* had ſent for that purpoſe) he was by them conducted to *Paris*, where he was honorably received by the King, as alſo by his Kinſman the young King of *Navar*; and his Adverſary the D. of *Brunſwick* being now alſo arrived, a Day was appointed for theſe two Noble Combatants to fight it out before the King of *France* and his Principal Nobility; then the Liſts being ſet out in the Field call'd *Le Pré aux Clerks*, without the City (an innumerable multitude of People being preſent) both the Dukes came into the Field compleatly armed, and according to the Cuſtom of that time were to fight on Horſeback, with their Swords and Lances. When all the Ceremonies uſual in ſuch caſes were perform'd, and the Combat was juſt ready to begin, whether Duke *Otho*'s Heart fail'd him, or that his Conſcience told him his Quarrel was not juſt, I will not determine; only that upon his ſhewing ſome ſigns of Fear and Confuſion, he was adviſed by his Friends to withdraw his Challenge, and to ſubmit his Quarrel to the Judgment of the King of *France*; which the Duke of *Lancaſter*, being full of Hopes and Courage, at firſt refuſed, ſaying, That he was ready to defend the Juſtice of his Cauſe; and that it would be a high Reflection both upon himſelf and the *Engliſh* Nation, if he ſhould now depart without performing what he came thither for. But for all this the Duke of *Brunſwick* utterly renounced his Quarrel, and refuſed the Combat, reſolving wholly to ſubmit himſelf to the Arbitrament of the King of *France*; to whom tho that Duke was more acceptable upon account of his having eſpouſed the *French* Intereſt, yet the *Engliſh* Duke did not want Friends; for he had the King of *Navar*, the Earl of *Flanders*, and divers others of the principal Nobility to abet his Cauſe, who told him that upon his Adverſary's renouncing the Quarrel and departure out of the Field, he might without any loſs of Honor quit it alſo. After which the King at a great Entertainment, by the help of his Nobles, partakers on both ſides, reconciled theſe two Dukes, and took up the Quarrel between them for ever.

Which is accepted by the D. of Lancaſter, *who thereupon goes into* France *to fight him.*

The Liſts being ſet out, and the Combat ready to begin, the D. of Brunſwick *declines it, and offers to ſubmit to the Judgment of the Fr. King.*

Which the D. of Lancaſter *refuſes.*

Yet at laſt the King undertakes to reconcile them.

I have been the more particular in this Tranſaction, that the Reader may obſerve how jealous Men of the higheſt Quality were in thoſe days of any Word or Action, that might reflect upon their Honor; and tho they thought it lawful to do it by ſingle Combat (eſpecially between Princes who did not own each other's Authority) yet did they not ſpill each other's Blood in private Duels, but openly before their own Prince, or ſome Other as was agreed between them, who were to give Judgment which of the Parties were vanquiſhed. But to conclude this Story, the *French* King was ſo taken with the Noble Carriage of the Duke of [1] *Lancaſter*, that He offered him a very great Preſent of rich Jewels; yet he would accept of no more than one Thorn from the Crown which (was then believ'd) our Savior wore at his Crucifixion; which our Author tells us he afterwards beſtowed upon the Abby of *Leiceſter*. Then the Duke having taken his Leave of the King of *France*, return'd into *England* a little before *Chriſtmas*, and was kindly receiv'd by the King, and all his Royal Relations.

[1] H. K. ib.

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[1] T. W. Raynold. ad hunc An.

The Death of Pope Clem. VI. *who is ſucceeded by* Innocent VI.

As to Eccleſiaſtical Affairs, I find nothing worth noting, but [1] the Death of Pope *Clement* VI. who deceaſed at *Avignon* (as was ſuppos'd of Poiſon) on the ſixth of *December*, having ſate Pope ten Years and ſeven Months; and upon the Eighteenth of the ſame Month was choſen *Stephen Albert* a *Limouſin* by Birth, then Biſhop of *Oſtia*, and Prieſt Cardinal of St. *John* and St. *Paul*. He took upon Him the Name of *Innocent* the VI. who prov'd as partial, if not much more than his Predeceſſor, to the Intereſt of *France* againſt the King of *England*.

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[2] H. K. Col. 2607.

An extreme cold Winter, which is broke by a furious Tempeſt.

And that is ſucceeded by an unuſual Drought.

Yet by the Importation of Corn out of Hainault *and* Ireland, *a Famine is prevented.*

[3] Stow p. 254.

Having nothing of greater moment wherewith to begin this Year, I ſhall make ſome Obſervations on the Weather. [2] This Winter prov'd ſo extreme cold, that the Froſt continued from the ſixth of *December* till the twelfth of *March*, about which time it was broke by a furious Hurricane or Tempeſt of Wind, the like whereof had not been ſeen in *England*; for it tore up the Roofs of Houſes and Leads of Churches, overthrew Mills, Walls and Trees to the Ground, and did very much miſchief in ſundry Places: Beſides which there happen'd after it an unuſual Drought, ſo that from the beginning of *March* to *July* little or no Rain fell upon the Earth, whereby all manner of Seeds being loſt, there enſued a great Dearth of Fruits, Corn, and other Grain; inſomuch that *England*, which was commonly before ſufficient for it ſelf, was now fain to ſeek Aſſiſtance from other Countries; which being made known to *William* Duke of *Bavaria*, and Earl of *Hainault*, he out of his hearty Love to the *Engliſh* Nation, ſent ſeveral Ships laden with Wheat to *London*, to the mighty refreſhment of the People; [3] and ſoon after there were alſo great Supplies of Corn brought from *Ireland*, which being diſtributed into the Inland Parts, prevented a Famine, that would otherwiſe have happen'd.

[4] H. K. col. 2606.

An Inſurrection in Cheſhire *ſuppreſt by Pr.* Edward.

The Cheſhire *men ſubmit, and are ſeverely fin'd, and the Ring-leaders puniſh'd.*

About this time the *Cheſhire* men committed ſome great Inſurrection or Riot [4] upon the Servants or Officers of the Prince of *Wales* and Earl of *Cheſter*, tho the occaſion I do not find in my Author; only that the King being extremely incens'd againſt them, and reſolving to make them ſubmit to Law, or to the Sword, ſent forth Sir *Richard Willoughby* and Sir *William Shareſhal*, his Juſtices Itinerant at *Cheſter*, and at the ſame time order'd ſufficient Forces under the Command of the Prince his Son, attended with other Lords, to go down and prevent any Inſurrection that might happen upon that account. But when the *Cheſhire*-men found they were in fault, and that there was no contending againſt ſo great a Force, they ſubmitted themſelves, and compounded with the Prince for a Fine of five thouſand and ſixty Marks, upon condition that the Juſtices in Eyre ſhould not ſit among them: But when they believ'd themſelves wholly acquitted, the Juſtices ſat anew by the Statute of *Trayle-Baſton*, whereby they levy'd a great deal of Mony by Fines, *&c.* and many Lands and Tenements were ſeized into the Prince's hands; whereupon he returned into the South Parts.

A Parliament ſummon'd, with its Proceedings.

[5] Rot. Clauſ. 27 Ed. 3. m. 12. Dorſ.

[6] Rot. Parl. 27 Ed. 3. n. 1, 2, 3.

After which there happened nothing conſiderable till *September*, when his Majeſty having in [5] *July* before ſummon'd a great Council to meet at *Weſtminſter* on *Monday* after the Feaſt of St. *Matthew*, or 23*d* of *September*, [6] the Lord Chief Juſtice, Sir *William Shareſhal*, ſhewed the Eſtates, that the cauſe of their Meeting was, that the Staple might be remov'd from beyond the Seas into the Realm. Then the

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the Parliament was adjourn'd till the ſeventh of *October*, [1] when the Prelats and Lords being again aſſembl'd in the White Hall, the Commons were called up, and Monſieur *Bartholomew de Burgherſh*, Lord Chamberlain, told them, that the King, thinking how He might beſt eaſe his People, that had been often charged with Impoſitions, and great Aids by reaſon of the War againſt his Adverſary of *France*, who detain'd his Rights and Heritage of that Crown from him, had ſent lately ſome of the moſt Noble and Excellent Peers of his Realm, *viz.* the Arch-biſhop of *Canterbury*, the Duke of *Lancaſter*, and other Prelats and Great Men, to *Guiſnes*, to treat with the Deputies of his Adverſary in preſence of a Cardinal, whom the Pope had ſent thither as a Mediator; and that after this Treaty, He had ſent his Confeſſor to the Pope, to let him know, “That conſidering the “many People that had been killed in this War, and deſiring to ſpend “the reſt of his time in another more holy War, to the Honour of “God, if his Adverſary would make reſtitution of the Dutchy of “*Guyenne* to Him, as intirely as any of his Anceſtors had enjoy'd it, “to hold it freely without any Homage or Service, He would be “willing after the end of the War, to reſign his Title to the Crown “of *France*. And that the Pope had moreover been deſired to ſound the *French* Adverſary's Inclinations towards a further Treaty; yet with Proteſtation, that if He ſhould not accept it, all his Rights ſhould be intirely ſav'd to Him, as if no ſuch Offer had been made, of which Meſſage the King not having as yet received any Account from the Pope, He had ſent his Chaplain, Maſter *William Wittleſey*, Arch-Deacon of *Huntington*, to know what had been done in this Affair, who brought back nothing worth the reporting.

[1] Ib. n. 6.

Sir Bar. Burgherſh *lays before the Parment his Propoſals to the Pope for a final Peace with* France.

Wherefore it ſeemed convenient to the King and the Great Men of his Council, that He ſhould prepare Himſelf for War againſt his Adverſary, as well for the Defence of *England*, as to recover his Rights, for which He ſhould have a great Sum of Mony. And the ſaid Chamberlain ſhew'd them further, that the late Tax or Subſidy of Wool, Leather, and Wool-fels, ending at *Michaelmas* laſt, it was not the King's intention to lay any new Tax or other Charge upon his People; yet He requeſted the Prelats, Great Men, and his Commons, to grant Him the Subſidy of the ſaid Wool, Leather and Wool-fels, for ſome longer time. Upon which Requeſt, after ſome deliberation had been between the ſaid Prelats, Great Men, and Commons, they unanimouſly agreed, and granted to the King the Subſidy of Wool, *&c.* to receive it as it had been taken formerly, for three years from *Michaelmas* laſt paſt, if the War ſhould continue ſo long; upon condition, that the Mony ariſing from this Subſidy, ſhould be ſafely kept for the War, and not imploy'd to any other uſe.

Ibid.

He deſires a continuation of the Subſidy of Wools, which is granted for three Years longer.

There were likewiſe divers good Ordinances made in this Council for the benefit of the Nation; as particularly, [2] that entitl'd of the *Staple*; whereby it was appointed, that the great Markets for Wool, Wool-fels, Leather and Lead, ſhould be held in *London*, *Weſtminſter*, and divers other Cities and Towns therein ſpecified, with ſeveral Rules and Reſtrictions for the well-ordering the ſame. There was alſo enacted another [3] Statute of Proviſors againſt Appeals to *Rome*, of both which I ſhall give a further Account at the end of this Reign.

[2] Vid. Stat. Book 27 E. 3. c. 1.

The chief Statutes made in this Parliament.

[3] Ib. cap.

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[1] P. 82.

Reign. There were alſo ſome Petitions of the Commons, for which, together with their Anſwers, I refer the Reader to [1] *Cotton*'s Abridgment.

[2] Od. Raynold. ad hunc An. Stow, p. 254. *Account of the late Treaties before the Pope's Legats, and the reaſonable Conditions propos'd by K.* Edward.

But for the better explanation of what had been reported in this Council concerning the Treaty above-mention'd with the *French* King, the Reader may take notice, [2] that the new Pope *Innocent* had the laſt Spring ſent *Guy*, Cardinal of *Bolognia*, as his Legat, to promote a Treaty of Peace between the Kings of *France* and *England*: And beſides this Cardinal the Pope ſent divers other Nuncios to both Kings, in order to make a final Peace between them: So that at laſt it was agreed in a Meeting of the Commiſſioners on both ſides, between *Calais* and *Guiſnes*, that the King of *England* ſhould reſign and renounce all the Right He had or claim'd to the Crown of *France*, transferring it intirely to the *French* King and his Heirs, in conſideration whereof the ſaid King ſhould receive and enjoy the whole Dukedom of *Aquitain*, with the City of *Calais*, and the whole Counties of *Artois* and *Guiſnes*, for Himſelf and his Succeſſors Kings of *England*, without doing any Homage, or making any acknowledgment for the ſame, to the Kings of *France*, or without holding them in any ſubordinate manner, otherwiſe than He held the Crown of *England* it ſelf, namely of God alone. To theſe Conditions thus agreed on, King *Edward* gave his Conſent; and for a firm Concluſion of the Premiſes, Ambaſſadors were to be ſent, as well from Him, as from the *French* King, to the Pope's Court at *Avignon*, a Truce being agreed on in the mean while to be kept in *England*, *France*, *Gaſcoigne* and *Bretagne*, till Eaſter next enſuing, during which time it was hop'd a full and final Peace would be eſtabliſh'd. But to conclude this Affair, tho ſome of the ſame Perſons abovemention'd were ſent afterwards Ambaſſadors to *Avignon*, yet all they had now done came to nothing, as you will find hereafter.

A Truce is agreed on.

[3] H. K. col. 2607. K. David *again treats with his Nobility, who are very refractory to his Propoſals.*

We ſhall now ſay ſomewhat of the Tranſactions with *Scotland*, whoſe King *David* being returned to Priſon (as you have already heard) and being deſirous of his Liberty, He [3] went this Year, by King *Edward*'s permiſſion, to *Newcaſtle* upon *Tine*, there to treat again with ſome of his Nobility concerning a Peace between the two Nations: but they ſhew'd themſelves ſo refractory to his Propoſals, that they plainly told Him, unleſs He ceaſed to follow the Advice of the *Engliſh*, they would withdraw themſelves from his Allegiance; and further threaten'd, that they would never redeem Him from Priſon, unleſs He would promiſe to pardon them for all Miſcarriages committed from the time of his Captivity.

[4] Id ib. *The King orders the Lords of the* North *to invade* Scotland.

[5] P. 254. *The Earl of* Northampton *takes the Caſtle of* Lochmaban.

When [4] King *Edward* and his Council ſaw this Averſneſs of the *Scots* to cloſe with theſe reaſonable Propoſals, they reſolved that the Lords of the *North* ſhould invade *Scotland* under the leading of the Earl of *Northampton*; and that all thoſe who claimed any Lands or Inheritances in *Scotland* ſhould accompany the ſaid Earl, together with King *David*, into that Kingdom, to reduce the *Scots* to more reaſonable Conditions: but what He perform'd there the ſame Author doth not tell us, only [5] *Stow* relates (I know not from what Author) that the Earl above-mention'd, with the *Scottiſh* King in his Company, then enter'd the Marches of *Scotland*, and forced the Caſtle of *Lochmaban*, and other ſtrong Places to ſurrender, and in his march either eſcaped

* or

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And comes to a Parly with the Scots.

or diſſipated ſeveral Ambuſhes which the *Scots* had laid for him, until at laſt they came to ſome Accommodation; then at a Parly in order to a Treaty, they declared, that they were willing to redeem their King, provided they did not bring Him as well as themſelves, into a worſe Captivity, by making their Country to be held by Homage of the Crown of *England:* This Requeſt ſeeming but reaſonable, a Truce was ſoon after concluded between the two Nations. I find nothing elſe to have happen'd this Year worth giving account of, nor till late in the Spring the Year enſuing.

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England affording us nothing remarkable in the beginning of this Year, we ſhall therefore ſay ſomewhat of the Affairs of *France*, ſince they had ſome influence over thoſe at home. [1] The King of *Navarre*, King *John*'s Son-in-law, a Perſon of a ſtrange mixture of good and evil Qualities, being now return'd into *France*, began to embroil the Kingdom with freſh Troubles; for he again purſued his Pretenſions to divers Earldoms (which were then otherwiſe diſpoſed of) eſpecially to that of *Angoleſme*, which the King had lately beſtow'd upon *Charles de la Cerda* of *Spain*, and then Conſtable, who diſſuaded the King from giving him ſatisfaction in any of the reſt. Whereupon the *Navarre* Prince retired diſcontented to his Caſtle of *Eureux*, and knowing the Conſtable was then at his Caſtle *da l' Aigle*, he undertook an Enterprize as bold as bloody; for carrying along with him about a hundred Horſe-men, he on the *16th* of *January* made a ſudden Aſſault upon it, and taking the Place, murder'd the Conſtable in his Bed; and when he had done thus, had the Inſolence to juſtify the Fact in Letters to the King's Council; and then raiſing men and fortifying his ſtrong Places, he ſollicited the neighbouring Princes to aſſiſt him.

The [2] King was forced to diſſemble his Reſentments, and gave him fair words to bring him to *Paris*; but he was too cunning to be ſo caught, nor would he come thither till he had got the King's Pardon, and one of his Sons as a Hoſtage for his Safety: And all the Satisfaction he was to make for this, was, firſt to ask his Pardon before the Pope's Legate, and a Parliament of the Peers at *Paris*; which he did in a ſtudied Diſcourſe, made up rather of Complaints and Excuſes than of Acknowledgments of his Crime. However, the Conſtable had order to arreſt him for Form's ſake, whilſt they conſulted what Sentence to give; ſo he was at the interceſſion of the Queens Dowagers to the two late Kings, declar'd pardon'd and diſcharged, the Legate having firſt made him a grave Admonition, ſetting forth the greatneſs of his Fault.

Yet even this gentle Reprimand ſo exaſperated him, [3] that he preſently left the Parliament, without taking any leave of the King; and making a Journy to *Avignon*, he lay waiting for the coming of the Duke of *Lancaſter* and the reſt of the *Engliſh* Plenipotentiaries, who were expected there to treat of a Peace before the Pope. And that I may put all things concerning this Affair together, I ſhall here farther add, [4] that upon the arrival of the ſaid Duke at *Avignon* about the beginning of the next Year, he enter'd into a private Conference with him; and after ſome Complaints of ſeveral great Injuries and Damages he had ſuſtained from the King of *France*, he aſſured the Duke by an Oath, that he would enter into a ſtrict Confederacy

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[1] Froiſ. c. 154. Mezeray ad hunc An.

[2] Id. ib.

[3] Id. ib.

[4] Id. ib.

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with King *Edward*; and for the confirmation of it, further promiſ'd, that ſo ſoon as the Truce was ended he would join him at the Iſle of *Jerſey* with all the Forces he could raiſe: But how well he obſerved that Engagement, you will find in due time.

[1] Rot. Clauſ. 28 E.3. m.25. dorſ.

[2] Rot. Parl. 28 E.3. n. 1, 2, 3.

Another Parliament held, and the Cauſes of it.

* i. e. *The Place for ſelling the Wools to foreign Merchants.*

We ſhall now return to the Affairs of *England*, where on the fifteenth of *March* the King iſſued out Writs of Summons [1] for a Parliament to meet on Monday after the Feaſt of St. *Mark*, or the eight and twentieth of *April* following; which being accordingly [2] aſſembl'd in the Painted Chamber, Sir *William Shareſhal* publickly declared before the King, Lords and Commons, that the Parliament was called for three Cauſes: Firſt, for eſtabliſhing the * *Staple* within the Realm, and for confirmation of the Ordinances made at the laſt Great Council. Secondly, how they might treat of a Peace with *France*; for that by War the King ſaw his Subjects greatly waſted: And Thirdly, for receiving of Petitions, and redreſſing of Grievances; all which without a Parliament could not be effectually done.

[3] Ib. n. 58.

Sir B. Burgherſh *ſhews the King's Proceedings in order to a Peace, and asks their Aſſent.*

The Commons Anſwer thereto.

† *In the* French Oil, Oil.

Then [3] it was further ſhew'd to them another day by Sir *Bartholomew Burgherſh*, that there were great hopes of Peace between the King and his Adverſary of *France*, by means of certain Commiſſioners to be appointed on both Parts; yet the King would not conclude any thing without the Aſſent of the Great Men and his Commons. Wherefore he demanded of them on behalf of the King, whether they would aſſent and agree to a Peace, if it might be had by Treaty? To which the Commons anſwered with one accord, *That what Iſſue it ſhould pleaſe the King and Great Men to make of that Treaty, ſhould be agreeable to them.* Then the Commons were asked again, if they would aſſent to a perpetual Peace, if it might be had? who all unanimouſly anſwered, † *Yea, Yea.* Whereupon Maſter *Michael Northburgh*, Keeper of the Privy Seal, commanded Sir *John de Swynely*, the Pope's Notary, that he ſhould make thereof a Publick Inſtrument, which was to be carried to *Avignon* to be laid before the Pope.

But I cannot here forbear obſerving, that Parliamentary Proceedings were not then reduced to that Form and Regularity, as they have been ſince that time; for we find the Commons to have here given their Conſent *vivâ voce*, and in the preſence of the Lords, to what the King ſhould do. As for the redreſs of Grievances, I do not find any thing then done, and therefore ſuppoſe there were none, but what had been remedied in the foregoing Parliament; yet there were many wholeſome Statutes made, for which the Reader may conſult our Printed Statute-Books, as alſo the Abſtract of them at the end of this Reign.

[4] Ib. n. 8, 9, 10, 11.

The former Judgments in Parliament againſt the Lord Mortimer *and E. of* Arundel *revers'd.*

[5] Ib. n. 13.

As for private matters, all that is worth our noting was, that the [4] Lord *Roger Mortimer*, Grandſon to the Great *Roger Mortimer*, who was attainted and executed three and twenty Years before, was now reſtored in Blood, and the Judgment given againſt his ſaid Grandfather was revers'd, as being contrary to Law. The like Favour alſo [5] *Richard Fitz-Allen*, Son to *Edmund* Earl of *Arundel* (who had been attainted in the beginning of this Reign) obtain'd on behalf of himſelf and his ſaid Father. Which Examples may ſerve to ſhew us, that it is the Duty of following Parliaments to correct and reverſe whatſoever hath been unjuſtly and too ſeverely enacted by thoſe that preceded.

Anno Dom. MCCCLIV.

Not long after the Diſſolution of this Parliament, the King in compliance with their Advice, as alſo to perform the chief Article agreed on by the late Treaty and Truce at *Guiſnes*, [1] ſent his Ambaſſadors to *Avignon*, there to conclude a final Peace with the *French* King in the Preſence of the Pope, the Heads of which had been before agreed upon near *Calais*, as hath been already related. The Ambaſſadors appointed by the King for this purpoſe were ſome of the moſt noted for their high Quality or Learning, as [2] *William Bateman* Biſhop of *Norwich*, *Michael* Biſhop of *London*, *Henry* Duke of *Lancaſter*, *Richard Fitz-Alan* Earl of *Arundel*, the Lord *Guy Brian*, with ſome others, whoſe Names I do not find. Theſe being accompany'd by many Perſons of Quality, and a magnificent Retinue, went to *Avignon* about the latter end of this Year, where they arriv'd upon *Chriſtmas*-Eve, being met without the City by ſeveral Cardinals, Biſhops, Noblemen, and others ſent by the Pope, who alſo Himſelf received them with great outward kindneſs and civility, tho like a true *French*-man He prov'd much more inclinable to the Intereſt of *France* than that of *England* in this Treaty, as you will find by and by.

[1] T. W. ad hunc An.

The King ſends Ambaſſadors to treat with thoſe of France *before the Pope at* Avignon.

[2] Rot. Fran. 28 Ed. 3. m. 2.

Anno Dom. MCCCLV.

But to come to the buſineſs about which this Treaty was appointed, [3] the *French* Ambaſſadors (who were the Arch-Biſhop of *Rouen*, the Duke of *Bourbon*, the Earl of *Armagnac*, and ſome other Lords) being alſo now arrived, the Pope held a Conſiſtory of all the Cardinels, at which the Ambaſſadors of both Kings were preſent, when thoſe for the King of *England* were very ſhort in their Demands, being no more than that thoſe for *France* would now ſolemnly confirm thoſe Articles which had been already agreed upon between *Calais* and *Guiſnes*: And then they produced the Articles themſelves; the chief of which was, That King *Edward* upon his leaving off, and renouncing his Title to *France*, ſhould enjoy the Dutchy of *Aquitain*, with all its Dependencies, free and diſcharged from any Homage to *France*. To this Propoſal the Earl of [4] *Armagnac*, the Duke of *Bourbon*, and the reſt of the Ambaſſadors of *France* could return no other Anſwer, but by downright denying and retracting all that had been agreed on at that Treaty, altho divers of them there preſent had ſolemnly agreed to theſe Articles under their Seals, in the preſence of the Cardinal of *Bolognia*. The Sum of what theſe Ambaſſadors alledg'd for their juſtification was, “That they would gladly have a Peace, if it might be upon equal Terms; but as for the cutting off *Aquitain* with the other Territories demanded to be held without any Homage or Dependence on *France*, neither their King nor they themſelves could give their Conſents, that they ſhould by any means be wholly alienated from their former Dependance on the Crown of *France*; ſince the King and they themſelves had already ſworn to retain them in the ſame ſtate they now were, to the utmoſt of their power: yet if the King of *England* would renounce his Pretenſions, and ceaſe to bear the Arms of *France*, they were content that the Feudatory Dominion of the ſaid Dutchy and Territories ſhould remain to King *Edward* after the ſame manner as his Anceſtors had held them, *viz.* ſaving the Sovereignty of *France* over the King of *England* and his Heirs, who ſhould do Homage for them.

[3] Froiſ. c. 154.

The French *arrive there; with the Demands of the* Engliſh.

[4] Id. ib.

The French *Ambaſſadors refuſe to conſent to them, tho they had formerly agreed to divers of them.*

The Reaſons why they could not diſcharge Aquitain *from depending on the Crown of* France.

Anno Dom. MCCCLV.

The Duke of Lancaſter's *Anſwer to the* French *Propoſals.*

To theſe new and unexpected Demands the Duke of *Lancaſter* reply'd in the Name of the reſt, "That as for the Oath whereby "they pretended to be ſo ſtrictly bound never to alienate thoſe Pla-"ces from their Subjection to the Crown of *France*, they might ſoon "for the ſake of Peace be by his Holineſs abſolved from it: And "ſince the King of *England* their Maſter had ſo good a Right to the "whole Kingdom, He was reſolved freely and abſolutely to enjoy, "and have fully reſtor'd to Him, that part of it which was indeed "his own already; otherwiſe that both the Title and Arms of *France* "which He had already taken, He would never relinquiſh for the "fear or pleaſure of any man living. Neither was it reaſonable that "He ſhould do Homage to that Perſon over whom by Hereditary "Right He claim'd a Superiority; yet if they would propoſe any "more equal and reaſonable Terms of Agreement, and would be "more conſiſtent with themſelves, and conſtant to their own Con-"ceſſions than they now ſeem'd to be, the King their Maſter, as a "Lover of Peace, would be ready to embrace them. To which the *French* Lords in a heat reply'd, "That if they had nothing elſe to "propoſe, their King and all good *French-men* were both ready and "able to defend their Country againſt the *Engliſh* for ever. And ſo they offer'd to riſe up and be gone; but thro the Mediation of the Pope and his Cardinals, their Heat was ſomewhat qualified, and at laſt they agreed ſo far, as that the Truce ſhould be prolonged until Midſummer following; and in the mean time the Pope promis'd to do his endeavour to promote the Peace, and would for that end again ſend his Nuncios to both Kings, to require them to diſpatch other Commiſſioners to propoſe ſome Conditions of Peace that might prove more equal and acceptable to both Parties.

[1] Id. c. 154.
The Truce is prolong'd.
[2] H. K. Col. 2608.

But in the mean time [1] all the Pope could do, was to perſuade the preſent Ambaſſadors of both Crowns to conſent to prolong the Truce till Midſummer following, and ſo they broke up for that time. Then [2] the Duke of *Lancaſter* (having with ſome difficulty eſcap'd the Snares the *French* had laid to ſurprize him) returned with all the reſt of his Company into *England*, except [3] *William Bateman* Biſhop of *Norwich*, who died at *Avignon*: He was a Prelat very well skill'd in the Canon and Civil Laws, and founded *Trinity Hall* in *Cambridg* for a Seminary for Profeſſors in thoſe Faculties.

[3] God. de Præſ.
The Death of the Bp of Norwich, *and his Character.*

[4] T. W. Aveſbury ad hunc An.
The Engliſh *Hiſtorians are more expreſs in their Relations of this matter.*

This is *Froiſſart*'s Account of this Tranſaction; but our [4] own Hiſtorians are more plain and expreſs in this matter, and ſay, that when the Ambaſſadors of *England* appear'd before the Pope, in hope He would confirm the former Treaty at *Guiſnes*, it all came to nothing thro the Fraud and Deceit of the *French*, and the ſecret Favour and Connivance they found from his Holineſs Himſelf. Which is very probable, ſince we do not find by any Author, that He any ways ſeemed concern'd at the *French* Inconſtancy, or blam'd them for departing from what they themſelves had already agreed to. And this will appear much plainer, if *Polydore Virgil*'s Relation of this Affair be true (tho I know not from what Author he had it) that the Pope having heard the Allegations of the Ambaſſadors of each King, and found they both required that which was indeed indiviſible, to wit, the *French* Crown; his Judgment was, that both Kings ſhould for the future deſiſt from making War upon each other, ſince they had already done ſuch Miſchiefs, as might ſufficiently warn them from falling into the like again. And tho *Polydore* may be out in the former part of his Relation, that King *Edward* inſiſted then upon no leſs than the whole Crown of *France*, yet the other part of it might be true enough, that He enjoyn'd both Parties to lay down their Arms, until He could decide the Controverſy between them; which was indeed to give the Advantage to the *French* King, who detain'd thoſe Rights from King *Edward*, that could never be recover'd but by the Sword.

The French *take little notice of this Tranſaction, and the reaſon of it.*

The *French* Hiſtorians both Antient and Modern, take little notice of this great Tranſaction before the Pope, becauſe I ſuppoſe not making for their King's Advantage; only [1] *Du Cheſne* ſlightly touches it, and ſays, That the Ambaſſadors of *France* and *England* having met this Year before the Pope, about the Concluſion of the Peace between their Maſters, the Treaty broke off, becauſe the Demands of the *Engliſh* were ſo unreaſonable: but omits that which was certainly urged by them at that time, *viz.* That thoſe Demands were no more than what had been already agreed on at a former Treaty near *Calais*. As for all our Hiſtorians near that time (as well in Print as in Manuſcript) they agree, that the Year before there was a Concord or Agreement concluded between the Kings of *England* and *France*, and that confirm'd by Oath, which being reduced into certain Writings Indented, there wanted nothing but their putting their Seals to them; by which King *Edward* was freely to enjoy all his Lands in *Aquitain*, on condition He would renounce all his Right and Claim to the Crown of *France*. But how this Treaty came to break off, I need not repeat; but ſhall only give you the Authority of an Antient Manuſcript Author in the *Vatican* Library at *Rome*, cited by [2] *Odoricus Rainoldus*, who expreſly lays the breaking off this Treaty to the King of *France*: the Paſſage is to this effect, That in the time of this Pope *Innocent*, *Guy* Cardinal of *Bolognia*, by the conſent of the Pope, and at his own deſire, went into *France*, to treat of a Peace between the ſaid King of *France* and *Edward* King of *England*; for the concluſion of which Treaty, the Duke of *Bourbon* with other Ambaſſadors on behalf of the King of *France*, and the Duke of *Lancaſter* with others on behalf of the King of *England*, came to *Avignon* in the Sixth Year of this Pope, to finiſh and compleat thoſe things, which had been already ordain'd and agreed to before by the ſaid Cardinal, concerning the Peace between the two Kings; but when they came before the Pope, they could not agree, ſo that their Ambaſſadors went away in diſcord from the Court to their ſeveral Countries: and this was done thro default of the King of *France* (as was commonly ſaid) He then denying thoſe things which had been treated on, and Sworn and Sealed to by ſome of thoſe very Ambaſſadors, in the preſence of the ſaid Cardinal, by the *French* King's conſent, and that of his Council; to which our [3] Author adds as follows. "What dreadful Slaughters King *John*
" brought upon himſelf and Country, by thus revoking the Articles
" of Peace made with the *Engliſh* Commiſſioners, will appear hereafter,
" ſince now the War broke forth afreſh, whereby *France* was embroi-
" led for ſo many Years.

The P. of Wales *appointed to go into* Gaſcoigne.

[4] But it is time to look back into *England*, where preſently after *Eaſter* the King held a great Council of his Noblemen at *Weſtminſter*, in which it was ordained, that the Prince of *Wales*, being now in the

[1] Ad hunc An.

[2] Ad An. 1353.

[3] Odor. Rain. ibid.

[4] R. Aveſ. c. 92.

the four and twentieth Year of his Age, ſhould paſs over into *Gaſcoigne*, there to carry on the War againſt the *French* King; but of this I ſhall ſpeak further by and by.

An Account of the great Fray at Oxford *between the Townſmen and Scholars, of whom many were kill'd.*

[1] T. W. Hyp. Neuſt. A. Wood Antiq. Oxon. l. 1. p. 174.

In the mean while, for want of Affairs of greater moment, I ſhall give you an Account of the great Quarrel, that happened in the beginning of this Year between the Scholars and Townſmen of *Oxford*, in which many of the former were killed; the occaſion of which was, [1] That on the Tenth of *February*, certain Scholars came to a Tavern called *Swinſtock*, which was then and is ſtill the Sign of the *Mermaid*, at *Quatervois* (from the Four Ways or Streets that meet there, now corruptly called *Carfaix*) where not liking their Wine, they called the Vintner and ask'd for better; but he inſtead of complying with their deſires, gave them rude and ſawcy Language, with which they being provoked, one of them ſtruck the Pot about his Ears; whereupon he ran down, and not only rais'd his own Servants but all the Neighbours, who came into his Aſſiſtance: ſo that in a ſhort time great part of the Town, reſolving to make it a general Quarrel, rang out the Bell of St. *Martin*'s (then, as now, the Town-* Church) whereupon the Chancellor of the *Univerſity* went to them, and did his endeavor to perſuade them to be quiet, promiſing them all reaſonable Satisfaction: but when nothing would do, and that he and thoſe that were with him were ſhot at by their Arrows, he cauſed the Univerſity Bell of St. *Mary*'s to be rang alſo; and then the Scholars and Townſmen being armed with Bows and other Weapons, had a Scuffle, until Night parted them. But as yet no great harm was done; but the next day, the Countrymen near *Oxford*, to the number of about two thouſand, came in to the Aſſiſtance of the Townſmen, with a black Banner born before them; whereupon the Scholars fled to their Colleges and Halls, but the enraged Multitude breaking into ſome of the weaker Houſes or Hoſtels, ſlew many of them whom they flung into their Bog-houſes, and then tore and deſtroy'd their Books and Writings, and carried away their Plate, and what elſe they pleaſed; and there were the Names of more than eight and twenty Univerſitymen ſlain and wounded, not long after given into the Biſhop of *Lincoln*, beſides thoſe who being ſecretly buried, were reckon'd at near forty more.

* *This is corruptly called* Carfaix.

The Townſmen break into their Houſes, kill many of the Scholars, and deſtroy their Books and Writings.

The King upon complaint of this Riot ſeizes the Liberties of the City.

[2] Id. p. 176.

His Juſtices ſent thither, the Mayor and Bayliffs put out and committed to Priſon.

On Complaint of this Riot, the King (then at *Woodſtock*) ſeized the Liberties of the City; the greater part whereof were afterwards granted to the Univerſity, which they enjoy to this day: however for that time the Univerſity was in a manner diſſolved, all Scholars (except thoſe of *Merton* College) going to their Friends and Relations, where they continued for a Year or two after. In the mean while the Biſhop of *Lincoln* interdicted the City from having any *Maſs* ſung in it before the Layety, and the King ſending his Juſtices thither to ſit upon this Riot, there were [2] divers both of the Scholars and Townſmen Indicted, and *John Bereford* the Mayor with the two Bayliffs were committed Priſoners to the Tower, who being alſo turn'd out, a new Mayor and Bayliffs were choſen; and the High-Sheriff of the County was alſo diſcharged, and another put in his Place, becauſe he had not come in to the Aſſiſtance of the Scholars, as he was required. But to put an end to this troubleſome Affair, the Iſſue of it was, That the Univerſity reſign'd her ſelf and Privileges into the King's Hands, and the Townſmen did the ſame; but much more particularly, for they did not only do that, but by a Solemn Reſignation ſurrender'd up all their Liberties, Perſons and Goods moveable and immoveable, with their *Guilds* or Companies, and all their Rights, entirely to the King's Diſpoſal; and this they did (as they confeſs in their Surrender) *becauſe if they ſhould be proceeded againſt by any way of Law, and a ſtrict Examination of their Cauſe, it would tend to their greater Confuſion and Puniſhment*, &c.

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The Univerſity and Town both reſign their Privileges into the King's hands, and ſubmit to His Majeſty's Judgment.

These [t] Surrenders being made before the Biſhop of *York* and *Wincheſter*, and others of the King's Council, were accepted of by the King; and as for the Univerſity, He, upon a full Hearing, dealt very graciouſly by it, and pardon'd all that the Scholars had done, either in the ſaid Tumult or before, as his Letters Patents teſtify, bearing date the Twentieth of *May*, and ſtill extant among the Archives of that Univerſity. But as to the Townſmen, it did not go ſo well with them; for tho ſeveral of the Nobility interceded for them, yet this matter held until the Seventeenth of *July* following, and then the whole was again ſolemnly heard before the King's Council at *Weſtminſter*: they having conſideration of the Premiſes, to avoid the Decay and Ruin that might otherwiſe enſue to the ſaid Town, made this final Concluſion betwixt the Parties, "That the Commonalty of the ſaid Town ſhould be bound to pay to the Maſters and Scholars damnify'd in the ſaid Tumult, for Amends and Reparation of their Injuries, and Loſſes ſuſtained (Death and the Maim excepted) Two hundred and Fifty Pounds *Sterling*; beſides their Goods taken away were forthwith to be reſtored: this Mony was to be pay'd to the ſaid Chancellor, Maſter and Scholars by the Feaſt of St. *James*'s, or elſe ſufficient Sureties given for the Payment thereof at certain Terms, as the Parties ſhould agree upon: in Conſideration whereof, the Perſons impriſon'd were releas'd upon Bail, until the next Seſſions of Goal-Delivery, on condition, that the ſaid Sums of Mony be pay'd, or Surety be put in for the Payment as before; or elſe the Bodies of the ſaid *John Bereford* and *John Norton* were to be return'd to Priſon, within three Days after the Feaſt of St. *Peter ad Vincula* or Firſt Day of *Auguſt*, there to remain in manner as before they did. And it was further agreed by the Deputies of the Univerſity, That all Townſmen who were Indited for ſuch Felonies and Tranſgreſſions above-mention'd, ſhould yield themſelves to the King's Priſon, to be try'd by Law, and all others that were now impriſon'd ſhould be let out, upon ſufficient Bail, that they would appear to be try'd by Law at the next Seſſions of Goal-Delivery. This was the Subſtance of the Order or Sentence of the Council, which I ſuppoſe was punctually obey'd.

[t] Id. ibid.

He pardons the Scholars by his Charter.

The whole matter again heard before the King's Council, and their final Sentence againſt the Townſmen.

I muſt alſo take notice, That to this Day the Mayor and Sixty three of the Burgeſſes of *Oxford*, are oblig'd to come to St. *Mary*'s Altar or Communion-Table, on the Feaſt of St. *Scholaſtica* the Virgin, or Tenth of *February* (the Day on which this Riot and Murther was committed) and there to offer at the High Altar Sixty three Pence, which were antiently appointed for ſo many Maſſes to pray for the Souls of ſo many Scholars as were then found to be killed in this Tumult. But I do not find this to have been any part of the above-recited Sentence of the King's Council, and therefore ſuppoſe it to have been

The Mayor and Burgeſſes of Oxon *obliged on St.* Scholaſtica*'s Day to offer ſixty three Pence at St.* Mary*'s Altar.*

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been ſome time afterwards impos'd upon them by the Biſhop of *Lincoln*, before they could be abſolv'd from his Excommunication; otherwiſe it is not probable, that the Mayor and Aldermen would ever have ſubmitted themſelves voluntarily to ſo mean an Acknowledgment. But I ſhall now return to Matters of more Publick Concernment.

A little after *Whitſontide*, or about the end of *May*, when the Truce between the two Kings was near expiring, they began again to put themſelves into a poſture of War; and King [1] *Edward* to ſecure his Territories in *France*, reſolv'd in a great Council at *London* to ſend over the Prince his Son, as his Lieutenant into *Aquitain*, with a thouſand Men at Arms, and fourteen hundred Archers; and in order thereunto, the King iſſued three ſeveral [2] Commiſſions to the Prince all of the ſame Date; by the firſt of which he made him his Lieutenant of that Province, and all other Places in *France*, whither he ſhould happen to march for the Recovery of his Territories poſſeſs'd by the Rebels: A ſecond gave him Power to make Leagues and Alliances with all Perſons of what Degree ſoever, to retain Men into his Service and pay them: The third was to give him Authority in the King's ſtead to receive the Homages and Fealties of the Nobility and others within the ſaid Dutchy of *Aquitain*.

[1] H. K. col. 2608.
The King ſends over the Prince his Son with three large Commiſſions.
[2] Rot. Parl. 29 E. 3. m. 6.

Then there being got ready a ſufficient [3] Navy to tranſport the Prince and his Forces, he, attended by the Earls of *Warwick*, *Oxford*, *Salisbury* and *Suffolk*, ſet Sail from *Plymouth* on the laſt of *June*, being bound for the River of *Garonne*. But whilſt they purſue their Voyage, we will look into *France*, and ſee what the King of *Navarre* has acted there in purſuance of his late Agreement with the Duke of *Lancaſter* at *Avignon*. In the [4] beginning of this Year, he ſent over (among others) his Uncle *Giles* of *Champagne* to the Duke with Letters, earneſtly beſeeching him to come ſpeedily into *Normandy* to his Aſſiſtance, and to receive his Oath of Fidelity, to ſerve King *Edward* againſt all Men. Then the Duke by the King's Order muſter'd up a good Fleet of forty Sail, which was got ready at *Rutherhive* (now *Redriff*) furniſh'd with three Months Proviſions; the Duke of *Lancaſter* being to go Admiral, and alſo Chief Commander of a great many choice Men at Arms and Archers, yet the Place for which they were bound was kept ſecret. But tho he ſail'd from *Greenwich* on the tenth of *July*, yet the Winds continuing in the Weſt or Southweſt, he did not arrive at *Sandwich* till the fifteenth of *Auguſt*, and got with great difficulty as far as the Iſle of *Wight*; [5] where (as ſome Authors relate and [6] further appears on Record, that) the King Himſelf with his Son the Duke of *Clarence* and *John* of *Gaunt*, went on Board the Fleet not in a publick manner but privately, without any State, becauſe it ſhould not be commonly known: then they ſet Sail for the Iſles of *Guernſey* and *Jerſey*, where He was to meet the King of *Navarre*, and ſettle all points for carrying on the War againſt the *French* King; but after the Fleet had lain cruiſing thereabout for ſome time, waiting for the King of *Navarre*, and he failing in his Promiſe to come thither at the time appointed, and the Winds proving contrary and tempeſtuous, the whole Fleet return'd back to *Portſmouth*; and the King and his Sons went on Shore, and ſtay'd there till He receiv'd certain Intelligence (about the middle of *October*) of the King of *Navarre*'s Reconciliation with his Father-in-Law of *France*; and that if the *Engliſh* went over thither, they

[3] T. W. ad hunc An.
The Prince ſets Sail for France *with his Forces.*

[4] Stow's Chro. p. 254.
The King of Navarre *deſires K.* Edward*'s Aſſiſtance in* Normandy, *who thereupon ſets out a good Fleet.*

[5] H. K. col. 2619.
Chro. R. Aveſ.
[6] Rot. Parl. 29 E. 3. m. 9.
The King goes on Board Incognito, *but is deceiv'd by the King of* Navarre.

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they ſhould be treated as Enemies. Thereupon the Duke return'd to the King, but the Men and Fleet were reſerved for another Expedition, that was preſently after undertaken.

But to give a more ſatisfactory Account of the reaſon of this Failure of the K. of *Navarre* in his Oath and Promiſe, ſo ſolemnly made: you are to take notice, [1] that when K. *John* and his Council ſaw that his Son in Law had now got together a good Body of Men, which he had chiefly brought from his own Kingdom, and that he had fortify'd divers Places in his Territories in *Normandy*, and thence began to ſpoil the adjacent Country, and was juſt ready to give the *Engliſh* Footing in it; they thought it high time to make the beſt Terms with him they could: and *Charles* the *Dauphin* knew ſo well how to ſweeten him, that by complying with moſt of his Demands, He for the preſent ſeemed ſatisfied, and disbanding his Forces, accompany'd the *Dauphin* to *Paris*; but it was impoſſible long to hold or oblige ſo fickle and inconſtant a Prince, as you will find the next Year.

[1] Mezeray ad hunc An.

But however the King of *France*, to prevent any Deſcent of the *Engliſh* [2] into *Normandy*, had already diſpos'd his Forces in ſeveral Places and Ports along the Coaſt: but they lying there moſt part of this Summer, burthened and waſted the Country almoſt as bad as the Enemy; till at laſt, all the Forage and Proviſions being conſum'd, they were forc'd to march off; inſomuch that when King *Edward* ſhortly afterwards landed in thoſe Parts, the *French* King had no Forces there able to oppoſe Him.

[2] Stow p. 255.

Prince *Edward*, being arriv'd in *Gaſcogne*, after He had ſpent ſome Months in ſettling the Affairs of that Country, and increaſing the number of Forces He had brought over with Him: [3] on the 5th of *October* marched from *Bourdeaux*, attended by the Earls that came along with him, as alſo by Sir *Bartholomew Burgherſh*, the younger, Son to the King's Chamberlain (who was then lately dead) together with the Lord *Liſle*, and ſeveral other Barons of a like Martial Temper. The Army was drawn up in three Battalions, and conſiſted in all of about ſixty thouſand Men; ſo that notwithſtanding the Earl of *Armagnac*, Lieutenant for the *French* King in thoſe Parts, and *Gaſton Phœbus* Earl of *Foix*, with other Chief Noblemen of *France*, commanded a greater Army, yet durſt they not encounter the Prince in the Field, either for fear of him, or (as *Mezeray* ſoftens it) out of Jealouſy of each other: wherefore the Prince finding no oppoſition, over-ran all the Country at his pleaſure as far as *Beziers* and *Narbonne*, taking and deſtroying very many ſtrong Towns and Caſtles; all which are particularly enumerated by * Sir *Thomas de la More*; tho the Names of the Places are ſo corruptly written, as one cannot well tell what they were; for which cauſe, as alſo for the dryneſs and prolixity of the Relation, we think better to omit it: but by a [4] Letter of Sir *John Wingfield*'s, who was in this Expedition, written to a Nobleman of *England*, it appears, that the Prince and his Army then burnt and deſtroy'd the Town of *Plaiſance* in *Rovergne*, together with the Country round about; as He did alſo in the Counties of *Eſterac* and *Cominges*, where He took and burnt the great Town of *St. Bertrand*. The like they did in the County of *Lille*, marching thro which, they paſſed the River *Garonne* above *Tholouſe*, but left that City, becauſe the Conſtable of *France* and the Count *de*

[3] Id. c. 155.

Pr. Edward *marches with his Army from* Bourdeaux, *and over-runs all the* French *Territories.*

* *Cited by* Holing. *p.* 952.

[4] *At large in* C. R. Avesbury, *cap.* 100.

A full Relation of the Prince's Expedition from a Letter of Sir John Wingfield's.

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Clermont were there with a Potent Army. Then paſſing into the Country of *Carcaſſone*, they burnt the City that bears the ſame Name; and going from thence to *Narbonne*, they did the like to that City; ſo that the King of *France* had never receiv'd a greater loſs, during all the War, of Cities and good Towns, which yielded Him conſiderable Revenues, than by this Expedition. This too being ended, the Prince return'd to *Bourdeaux* toward the beginning of the next Year.

But we ſhall now return back into *England*, where in the mean while [1] K. *Edward* had reſolved upon another Expedition into *France*; and to this end had ſummon'd many of his Great Men and Military Tenants, to be ready at *Sandwich* by *Michaelmas* Day, in order to paſs over to *Calais*: but having been kept back by contrary Winds and other accidents, He could not take the Sea with his Army till the end of *October*, when He went, and was joyned by Sir *Henry Eam* of *Flanders*, Sir *Frank Van-Hall*, and many other *Germans* and *Brabanders*, to the number of a thouſand Men of Arms, inſomuch that the King's Forces amounted in all to ſeven thouſand Men at Arms, two thouſand Croſs-bows on Horſeback, beſides Long-bows, Archers on foot in a greater number; and the City of *London* at that time ſet out at their own Charge five and twenty Men at Arms, and five hundred Archers on Horſeback, all in one Livery. The King took with Him in this Expedition two of his Sons, *viz.* Lord *Lionel* of *Antwerp* Earl of *Ulſter*, and Lord *John* of *Gaunt* now Earl of *Richmond*; the former then in the Seventeenth Year of his Age, and the other in the Fifteenth; together with *Henry* Duke of *Lancaſter*, the Earls of *Northampton* and *Stafford*, and Sir *Walter de Manny*, with many Young Noblemen and Gentlemen.

King Edward *ſummons all his Military Tenants, but is long kept back by contrary Winds, yet at laſt paſſes over to* Calais *with his Army.*

The King marches towards St. Omers, *the Marſhal* D'Endreghan *comes to view his Forces.*

And diſſuades K. John *from coming to a Battle, whereupon King* Edward *returns to* Calais.

The French *Relation of* K. John's *Challenge to fight* King Edward *ſeems an Error.*

[2] Then on the Firſt of *November*, the King having heard that his *French* Adverſary with his Army was come to *St. Omers*, marched towards that City with all his Forces; but when He was arrived between *Guiſnes* and *Ardres*, [3] there came to Him the Marſhal *D'Endreghan*, the Lord *Bouciquault* and others from King *John*, that under pretence of diſcourſing him, they might take a full view of all his Forces; and accordingly they return'd with ſuch a Report of his Strength, that the *French* King was now determin'd not to hazard a Battle with Him, but rather to retreat before him breaking the Bridges, and gathering up or deſtroying all ſorts of Proviſions, that ſo the *Engliſh* might be forced for want thereof to return back for that time. Which Deſign had that Succeſs, and K. *Edward* was ſo ſtreighten'd thereby, that after He had ravaged and deſtroyed *Bolognois*, as far as the Town of *Heſdin*, which he could not take; He was obliged to return to *Calais*, His Army having drank nothing but Water for three Days together, and all other Proviſions being extreme ſcarce. Here the *French* [4] Writers from *Froiſſart* (for I am reſolved to diſſemble nothing) ſay, That King *John* by the Marſhal *D'Huthain* and certain other Knights, offer'd King *Edward* either to fight Him Body to Body, or Army to Army, whenſoever He Himſelf ſhould appoint; but that K. *Edward* declin'd the Offer, and ſo went home again for *England*. This ſeems very improbable, becauſe King *Edward* was not now many Years older, nor leſs Valiant than when He challenged this King's Father to a ſingle Combat; and it plainly appears by the *French* King's Retreat at firſt, that He declin'd fighting. And therefore I ſuppoſe [5] *Avesbury*'s Relation of this Tranſaction

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[1] H. K. col. 2508. C. Rob. Aveſ. c. 95.

[2] Froiſ. c. 154.

[3] Rob. Aveſb.

[4] Mezeray ad hunc An.

[5] Ibid.

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The Relation of our Engliſh *Hiſtorians more probable.*

action better deſerves our Credit, *viz.* that on the eleventh of *November* after the King's Return to *Calais*, the Conſtable of *France* and others met the Duke of *Lancaſter*, the Earl of *Northampton* and Sir *Walter Manny*, at the end of the Cauſway of *Calais*, and by Letters of Credence from their King, offer'd Battel to the King of *England* on Tueſday following: Then the *Engliſh* Lords anſwered by their King's Command, that it was His Intention, as much as He could, to avoid the effuſion of Chriſtian Blood; and therefore deſired to fight Body for Body with his Adverſary, ſo as the whole Right to the Crown of *France* might be decided by this Battel between them two: And if this was not approv'd of, that each of them ſhould take to Him his eldeſt Son; and if He lik'd not that, then both to chuſe two, three or four Knights, the neareſt to them in Blood, to be join'd with them and their Sons, that ſo the Right to the Kingdom of *France* might be finally determin'd, and that He who was conquer'd ſhould yield it to the Conqueror. Which Offers the *French* refuſed, ſtanding to their Propoſal of giving Battel on Tueſday. The *Engliſh* offer'd to fight the next day, or Saturday: The *French* ſtill perſiſted in their firſt Offer, which the *Engliſh* accepted, upon condition, that if the *French* could not bring their King to a Battle on that day, they ſhould render themſelves Priſoners to the King of *England*; as in like manner they would render themſelves Priſoners to the King of *France*, if they brought not then their King to conſent to a Battel on that Day. But the *French* Conſtable refuſed this Offer, and the *Engliſh* Lords thought they only trifled with King *Edward*, that by delay and putting him to great Expences, He might be weary of the War. The King ſtaid and expected the *French* all Tueſday, but none of them came. This Relation deſerves our notice, as being not only more probable, but is alſo written by an Author of that time; and the Reader may uſe his Judgment in the choice which to believe, either our *Engliſh* or the *French* Hiſtorians, whoſe beſt Authority is that of *Froiſſart*, who, I confeſs, ſeldom writes to the diſadvantage of King *Edward* or his Cauſe. But this is moſt certain, that the [r] *Engliſh* Noblemen then with the King, ſeeing that the *French* had no intention to fight, as they at firſt pretended, but only by delays to ſpin out time, and put their Maſter to charges, thereby to make both Him and them weary of the War, adviſed Him to think of returning home: So that all that could be further done at preſent was, the ſtriking up a ſhort Truce between the two Kings, to continue till Eaſter. However the King ſtaid till the 17*th* of *November*, when having paid all the Strangers that came to his aſſiſtance their Wages, and ſeeing there was no more to be done on that ſide the Water, He embark'd for *England*, being incited to make the more haſte, by reaſon of what the *Scots* had lately acted againſt Him during his Abſence.

The King ſtrikes up a ſhort Truce with France. *and returns home*,

They [a] having received a ſtrong Body of *French* Soldiers, and four hundred thouſand Crowns in Gold, to excite them to renew the War upon *England*, perform'd it accordingly; and marching into the Borders near *Berwick*, a Party of that Gariſon ſally'd out upon them to get a Booty of Cattel which the Enemy had drove near that Place on purpoſe, whereby the *Engliſh* fell into an Ambuſh the *Scots* had laid for them, and were all cut off, except Sir *Thomas Grey* their Commander, and Sir *John Dacres* his Son-in-law, with ſome other

The Scots *invade* England, *defeat a Party belonging to* Berwick, *&c.*

[r] Id ib. Froiſ. ib.

[a] H.Boeth. l.9.

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Gentlemen, whom they kept Priſoners in order to a Ranſom. Then early the next morning before day the *Scots* (encouraged by this Succeſs) approached the Town of *Berwick*, and when the Watch was aſleep, ſet their Ladders to the Walls, and mounted and enter'd the Place: Thoſe few *Engliſh* whom they found awake and able to reſiſt, they fell upon and ſlew, tho not without loſs to themſelves of divers Knights and Officers, whoſe Names it were needleſs to relate. But tho the *Scots* thus ſurprized the Town, yet they could not take the Caſtle, becauſe the Bridg being drawn up, the Gariſon had quickly notice of what they had done; ſo that it held out till King *Edward* could come to their relief, which He did with all poſſible ſpeed as ſoon as ever He came out of *France*, and could hold a Parliament at *Weſtminſter* [1] on the 12*th* of *November*, or Monday af[illegible] the Feaſt of St. *Martin*, according to the Summons that had bin iſſued juſt before his laſt going over.

The King returns out of France, *and holds a Parliament.*

[1] Rot. Clauſ. 29 E. 3. m. 9.

[2] Rot. Parl. 29 Ed. 3. Cot. Abridgment, p. 90.

Wherein Sir Walter Manny *declares the Succeſs of the King's Affairs.*

This Parliament [2] having bin by reaſon of the King's abſence, and ſome other Cauſes, put off by ſeveral Adjournments till the five and twentieth of *November* following, they were then told by Sir *William Shareſhul* the Chief Juſtice, that it was his Majeſty's pleaſure, that Sir *Walter Manny* ſhould declare to them the preſent State of the King's Affairs, as being beſt able to do it, and which he did to this effect. He firſt gave them an account of the late Treaty before the Pope, and how it had been broke off thro the fault of his Adverſary of *France*: Then he proceeded to the Negotiation that had been between the King of *Navarre* and the Duke of *Lancaſter* at *Avignon*, to meet the ſaid Prince at *Jerſy*, and of the reaſon of the failure of that Deſign. Then Sir *Walter* concluded with a ſhort Relation of the King's late Expedition into *France*, and the Iſſue of it, as it has been already related, and the reaſon of his ſo ſpeedy Return.

[3] Ibid.

Sir W. Shareſhul *requires the Commons to conſider how to ſubdue the* Scots, *and attain a Peace with* France.

After this Relation, [3] Sir *William Shareſhul* ſpake again to them, and required the Commons to weigh and conſider the King's unwearied conſtancy in labouring for their Defence, and that He was now ready to repel the Inſolence of the *Scots*, who had lately ſurprized the Town of *Berwick* (as News had been then brought to Him) and he willed them alſo forthwith to adviſe, how He might be the beſt enabl'd, not only to gain a compleat Victory over that ſtubborn People, but alſo how to attain an advantageous Peace with *France*, which He greatly deſired for His own Honour, and their Quiet and Benefit: and then gave them time till Friday following to give in their Anſwer, and in the mean while to prepare their Bills and Petitions, and to bring them into Parliament. On which day the Commons came into the Preſence of the King, the Prelats and Great Men, into the White Chamber; and after a ſhort Conference with them, unanimouſly granted the King the Subſidy on Leather, Wool, and Woolfels for ſix years next coming; ſo that during that time the King ſhould not put any other Impoſitions or Charges upon the Commons. And then they brought their Petitions before the King, who returned His Anſwers to them, which together with the Statutes that were then made, I need not here recite. I have no more to add concerning this Subſidy or Cuſtom upon Leather, Wool, *&c.* only that it was ſo conſiderable, that *Rob. Avesbury* obſerves, that upon a juſt calculation the King could

The Lords and Commons grant the King a vaſt Subſidy on Leather, Wool, &c. for 6 Years.

could during theſe ſix Years expend more than a thouſand Marks every day in the Year.

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The Parliament being ended, the King goes for Scotland.

When the Parliament had thus diſpatch'd the King's Buſineſs and their own, they broke up about the end of *November*, ſo that it did not hold above four or five days; and as ſoon as it was over King *Edward* having got ready his Forces, took his Journy for *Scotland*, and reſted not till He came to *Newcaſtle* upon *Tine*, where he kept his *Chriſtmas*.

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[1] H. K. Col. 2611. Rob. Aveſb. c. 103.

The King arrives before Berwick, *and lays cloſe Siege to it.*

The Scots *ſurrender it on Conditions.*

So ſoon as that Solemnity was over, He departed thence with his Army to *Berwick*, and came thither the fourteenth of *January*; and his Navy being alſo arrived, He beſieged it both by Sea and Land, and the Caſtle ſtill holding out for him, He enter'd with his Guards, deſigning to let down the Draw-bridg, and aſſault the Town that way, while the Army from without ſhould attempt the Walls. Sir *Walter Manny*, (who arrived there ſome time before the King) was alſo at the ſame time imploy'd in ſpringing a Mine by certain Miners he had brought out of the Foreſt of *Dene*, thereby to get entrance that way, if Force ſhould fail. Upon this the *Scots* within being terrified with theſe dreadful Preparations, and ſeeing it impoſſible to hold out againſt ſuch powerful Forces, and ſuch various Attacks, began to capitulate, deſiring only to be ſecured of Life, Limb and Liberty, and they would forthwith yield up the Town; which Conditions the King accepted, and they marched out accordingly. But [2] the *Scotiſh* Hiſtorians (who ſeldom fail to write for the advantage of their Country) relate, that when the *Scots* within the Town heard how King *Edward* was coming in Perſon to its relief, they diſmantl'd the Walls, ſet fire on the Town, and ſo made their eſcape with all the Spoil they had gotten, which is not at all likely, ſince our Hiſtorians give us ſo many pregnant Circumſtances to the contrary, that it is improbable it ſhould have been otherwiſe than as they write.

[2] H. Boeth. ib. Buchan. ib.

However King *Edward* being now repoſſeſs'd of the Place, having left behind him ſufficient Forces both for the defence thereof, and to repair what was wanting in the Fortifications, [3] marched with his whole Army further into *Scotland*, reſolving (if poſſible) to reduce that Nation entirely to his Subjection. [4] Whilſt he continued at *Roxburgh*, King *E. Baliol*, who attended Him in this Expedition, being weary of the long Oppoſition of the *Scots*, and finding that He was never likely to enjoy more than the empty Title of a King, and that he was alſo in Years and without Iſſue, therefore upon theſe Conſiderations, about the end of *January*, granted and confirm'd for Him and his Heirs, to *Edward* King of *England* and his Heirs for ever, the Kingdom, Government, Title and Crown of *Scotland*, together with the Iſles, and all manner of Royalties, Dignities, Prerogatives, *&c.* and all other things which belong'd to that Crown, with its Apurtenances: and then he put him in poſſeſſion thereof by the ſurrender of his Golden Crown, and delivery of Poſſeſſion by ſome of the Soil of the Kingdom, *&c.* in conſideration whereof King *Edward* was to allow him two thouſand Pounds Sterling for his Life, to be paid quarterly. There were ſeveral long [5] Inſtruments drawn up about this Grant, as alſo an Exemplification of the main Indenture of Agreement between the two Kings, dated at *Bamburgh* Caſtle the twentieth of *February* following. There is alſo extant

[3] Hollingſh. ib.

The King marches further into Scotland.

[4] H. K. col. 2611.

E. Baliol *ſurrenders up his Right to the Crown of* Scotland *to K.* Edward.

[5] Rot. Scot. 29 E. 3. m. 12.

tant

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¹ Ib. m. 30.
² Ib. m. 8.

tant King *Edward*'s ¹ Releaſe of the Homage done to Him by *Edward Baliol*, dated the twelfth of *March* next after at *Weſtminſter*, with a ² Proclamation, that notwithſtanding this Grant, the People of *Scotland* ſhould enjoy, and be govern'd by their old Laws and Cuſtoms as before, without any Change, or the leaſt Alteration; dated at the ſame Place, on the fifteenth of the ſame Month. All which Inſtruments are enter'd upon the Rolls call'd *Rotuli Scotiæ*, now extant in the Tower.

³ H. K. ib.
The Scotiſh *Nobility make as if they would ſubmit to King* Edward, *but do not.*

The King purſues the Scots.

Whilſt King *Edward* continued thus at *Roxburgh*, ³ Earl *Douglas* with many of the chief Nobility of *Scotland* came to Him, and treated with Him, as if they deſigned to ſubmit to his Terms; and accordingly a Day was appointed for a full and final Agreement, in order to which the King allow'd them eight Days reſpite: But in the mean while the crafty *Scots* convey'd the beſt of their Moveables beyond the *Frith*; and then *William* Earl *Douglas* ſent the King word, *That he would never ſubmit to his Peace while he lived.* King *Edward* being thus deluded, marched on with his Army divided into three great Battalions, burning and deſtroying the Country round about Him, as He paſs'd, until He came to *Haddington*; but the *Scots* had carry'd off or ſpoil'd all ſorts of Proviſion, ſo that for fifteen days together the *Engliſh* could get little Meat, and no Drink but Water, a very thin Diet at that cold time of the Year. But the *Scots* were always ready, both on their Flank and Rear, to cut off whoſoever went forth from the Army to forage. While King *Edward* thus tarried at *Haddington* waiting for his Navy, wherein were the Proviſions for his Army, his Soldiers did their utmoſt to ſpoil the Country, tho it turn'd to very little advantage, for the *Scots* had already removed whatever was conſiderable: Wherefore the King and his Forces were fain to return home, after having endured a great deal of hardſhip in *Scotland* for want of Victuals.

⁴ Boeth. l. 15.
The King's Navy which carried the Proviſions ſuffer'd much by a Tempeſt.

But that which chiefly contributed to their Neceſſities, was, ⁴ that the King's Navy being to attend the Army with Proviſions, ſuffer'd much damage by a great Tempeſt, whereby moſt of the Ships were either deſtroy'd or diſpers'd, and not only the Men, but the Proviſions loſt. This *Hector Boethius* aſcribes to the Sacrilege of the *Engliſh* in robbing the Church of our Lady at *Haddington*, and alſo complains of the great Wickedneſs which King *Edward*'s men then committed in robbing and burning Churches and other Religious Houſes: but this is not very probable, ſince the King was always averſe from Sacrilege, and is related by our Hiſtorians to have cauſed ſeveral of his men to have been hang'd at other times for the like Crime. But this is certain, that King *Edward* being incens'd by the late Diſaſter, diſcharg'd his Fury upon *Edinburgh*, *Haddington*, and other Towns of *Lothian*, which He quite ruined; ſo that He left ſuch marks of his Diſpleaſure in thoſe Parts, that ⁵ this Deſolation happening about the Feaſt of our Lady's Purification, the *Scots* ever after called it the *Burnt Candlemas*.

K. Edward *incens'd at his ill Succeſs, ruins* Edinburg, *&c.*

⁵ Id.

He returns into England *with the Ld* Baliol.

When King *Edward* had thus reveng'd Himſelf upon *Scotland*, and ſettl'd his Affairs in thoſe Parts, as well as He could, He return'd into *England* with the Lord *Edward Baliol* (for ſo I ſhall now call Him) in his Company, which was not done (as the *Scotiſh* Writers idely relate) becauſe the King fear'd leſt he ſhould make new ſtirs, ſince

He

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He had already upon good Conſiderations voluntarily reſign'd up all his Right to King *Edward*; and it was now too late to repent; or if He had, it would have been to no purpoſe; for He was ſo odious to the *Scots*, who never ſubmitted to Him but for fear, that had He not been ſupported by the King, He had been long ſince intirely ruined, having been deprived of all his Eſtate both in *France* and *Scotland*: So that being tired out with the long oppoſition of ſo ſtubborn and reſolute a People, He now went into *England*, where he lived quietly for the reſt of his Life, which was about ſeven Years, upon the Penſion of two thouſand Pounds *per Annum*, which was (as I have already ſaid) allowed Him by the King, in conſideration of his Reſignation of the Crown of *Scotland*; by which notwithſtanding the King reap'd no more advantage, than what his Grandfather *Edward* the Firſt had long ſince done by the like Reſignation of *John Baliol*, Father to this *Edward*.

The Miſtake of the Scotiſh *Writers concerning it confuted.*

So ſoon as [1] the King could return to *London*, He there met Maſter *Simon Sudbury*, Auditor of the Pope's Court call'd the *Rota*, being lately arriv'd as a Nuncio from his Holineſs, with Letters offering again to renew the Treaty of Peace between Him and the *French* King, and further to ſend two Cardinals Legats for that purpoſe. But after ſome weeks conſideration the King returned a civil Anſwer to the Pope's Letter, giving Him to underſtand, that He was always deſirous of Peace, whenever it might be had upon ſafe and honourable Terms; yet tho He had often conſented to ſuch Treaties as his Holineſs had propoſed, He had always found no other Iſſue from them, but fruitleſs Delays and loſs of time, to his great prejudice: and what Succeſs his Envoys had met with in the very laſt Treaty, his Holineſs very well knew. He therefore beg'd his Pardon, if being now compel'd to carry on the War to the utmoſt of his Power, He could not without great danger to the whole State of his Affairs comply with his Holineſs's Deſires. This Letter was dated on the ſecond of *May* this Year.

[1] Rob. Aveſ. c. 108.

Simon Sudbury, *Auditor of the Pope's* Rota, *is ſent to renew a Treaty of Peace with* France.

But to ſay ſomewhat of Eccleſiaſtical Affairs, [2] on the ſixteenth of the ſame Month, the Arch-biſhop of *Canterbury* held a Provincial Synod at St. *Paul's*, to which the King ſent his Meſſengers, deſiring the Tenths of the Clergy for ſix Years; but the Inferior Clergy would grant them for no more than one Year, and the Biſhops for two Years to come, which (ſince He could have no more) the King accepted of.

[2] Id. ib.

The Clergy grant the King a Tenth.

Having done with the Affairs of *England*, we ſhall now look into *France*, which produced freſh Diſturbances this Summer, and by their Civil Diſſenſions gave great Advantage to the *Engliſh*, who by that means, as well as a great Succeſs in Battel this Year, had more than one Victory over the *French*. The occaſion of theſe Diſturbances was, that King [3] *John* having been lately forced for the Maintenance of the War, to impoſe great Tallies and other Impoſts upon his Subjects, as alſo an annual Tax upon all Lands, Benefices, Offices and Sallaries (even to the Wages of Servants) all over *France*; theſe extraordinary Subſidies, tho granted by the Aſſembly of Eſtates, cauſed Tumults and Seditions in divers Places, eſpecially at *Arras*. [4] But the Marſhal *d'Endreghan* being enter'd the Town with his Guards, under the colour of a Peace-maker, ſeiz'd upon about a hundred of the moſt ſeditious,

[3] Froiſ. c. 155.

Tumults in France *by reaſon of the Taxes, eſpecially at* Arras.

[4] Id. ib. Paul. Æmil. p. 285.

and

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The King of Navarre *begins to raiſe freſh Troubles.*
[1] Froiſ. c. 156.

and cut off the Heads of about twenty of the chiefeſt of them.

After which the King of *Navarre* began to raiſe freſh Troubles, upon the common pretence of all Reformers, *the Redreſs of Grievances, and the Good of the Publick*; but the *French* King having notice of his Deſigns, had laid a Snare to entrap Him; and notwithſtanding all his Cunning, [1] He was enticed by the *Dauphin* to the Caſtle of *Rouen*, together with *Lewis* Count of *Harcourt*, and ten or twelve more of their Confederats: But they were no ſooner got thither, and the King had notice of their Arrival, but He came upon them on the ſudden, and entring a Poſtern, ſurpriz'd them as they were juſt going to Dinner in the Hall of the Caſtle. The King only made his Son-in-law the King of *Navarre* a cloſe Priſoner; but as for the Count *d' Harcourt* and four other Lords, that Prince's chief Confidents, He ordered them to be carried in two Carts without the City, and there to be beheaded in the open Field without any manner of Proceſs: And as for the King of *Navarre*, He was content to ſend Him under a ſtrict Guard to the Caſtle of *Galliard*, but being often threaten'd with Death, He was removed from thence to divers other Priſons.

But is ſurprized by the King, and made cloſe Priſoner.

The Ld de Harcourt *and four other Lds of his Party are beheaded.*

[2] Id. ib.
K. of Navarre's *Brother, and* Geoffry *Brother to the Ld* de Harcourt *call in the* Engliſh.
[3] Du Cheſne p. 665.

So violent a Blow as this had very bloody Effects; [2] for *Philip* Brother to the King of *Navarre*, and *Geoffry* Brother to the Count *d' Harcourt*, ſeizing upon divers ſtrong Places in *Normandy*, call'd in the *Engliſh* to revenge the Outrage that had been done to their two Brothers: tho I cannot here omit, that this Lord *Geoffry* is related by the [3] *French* Hiſtorians to be ſo touched with remorſe for what he had done by bringing the *Engliſh* into *Normandy*, and the Miſchief that follow'd it at the Battel of *Creſſy*, that not long after he preſented himſelf to King *John* with a Halter about his Neck, begging Pardon for his late Treaſon; which tho the King then graciouſly granted, yet it ſeem'd the next Provocation made him again relapſe into the ſame Crime. But to proceed in our Hiſtory, the two [4] *French* Lords laſt mention'd, having got together divers Troops in the Iſle of *Coutantine* in *Normandy*, ſent to the Duke of *Lancaſter*, [5] then newly arrived as Lieutenant of *Bretagne*, for the young Earl of *Montfort* to come to their aſſiſtance, which He immediately did, together with the Earl himſelf at the Head of above four thouſand men, and had ſo good ſucceſs, that he raiſed the Siege of *Ponteau de mer* belonging to the King of *Navarre*, as alſo that of *Breteville*, and other Places, which were then beſieged by the *French*; and not contented with this, he took the City of *Verneuil* by Storm, and plunder'd and burnt great part of it. But whilſt he laid cloſe Siege to the Caſtle, upon the News of the King of *France*'s approach with a great Army, He raiſed the Siege, and marched off; and (as [6] one of our Writers relates) the *French* King following him as far as *Conches*, ſent two Heralds to him to bid him not ſpoil the Contry as he had done, but to ſtay and give Him Battel; which the Duke accepted of, and ſtaid there expecting the coming up of the King of *France*, who he heard was not above five Leagues off; but upon the receiving of the News of Prince *Edward*'s Ravages in *Gaſcogne*, King *John* let the Duke alone, and immediately marched towards thoſe Parts to put a ſtop to the Prince's further Succeſs. Yet this Relation doth not ſeem probable, that the Duke having but ſmall Forces with him in compariſon of the *French*, ſhould

[4] Froiſ. ib. Mezeray ad hunc An.
[5] Rob. Aveſ. c. 112.
And ſend to the D. of Lancaſter *and E. of* Montfort *to come to their aſſiſtance.*

They take Verneuil, *except the Caſtle, and raiſe the Siege of it on the* French *King's approach.*
[6] H. K. col. 2612.

ſhould dare to ſtay to give them Battel; and therefore I rather give credit to what * *Froiſſart* and the other *French* Hiſtorians relate, that King *John* purſued him for two Leagues beyond *L' Aigle*; but then finding that the Duke and his Men had taken ſuch thick Foreſts, that they might thereby eaſily entrap Him into ſome diſadvantage, the Paſſages being ſo dangerous to the Purſuer, He returned back to ſtop the furious Career of the Prince of *Wales*. But this is agreed by all, that the [1] Duke then retired to *Montebourg* in *Coutantine*, and there continued till he heard of Prince *Edward*'s Victory at *Poictiers*; and from thence he went to *Hennebond* in *Bretagne*, where he for ſome time continued with the Counteſs of *Montfort*.

* C. 156. *K.* John *purſues the D. of* Lancaſter.

[1] Froiſ. ib. *Who retires into* Bretagne.

It is now time to give you an account of the Actions of the Prince of *Wales*, [2] who having imploy'd the Winter Seaſon in repairing and fortifying the City of *Bourdeaux*, and other Towns and Caſtles in *Gaſcoigne*, and cauſed great Quantities of Gold and Silver to be coin'd, according to a Commiſſion from the King his Father, for the payment of his Soldiers; preſently after *Candlemas*, [3] ſent the *Captal de Buche* with ſufficient Forces into the County of *Perigort*, which ſo ſoon as the Earl of it heard, he deſired the Cardinal his Brother to uſe his Intereſt with the Pope to obtain a Forbearance from the Prince for the City of *Perigort*, that it ſhould not be aſſaulted: and for this Favour he offer'd the Prince a great Sum of Mony. But tho the Pope alſo wrote to him for that purpoſe, yet his Anſwer was, that the King his Father was rich enough, and wanted neither Gold nor Silver; and therefore he was reſolved to perform what he had come over for, which was, to reduce the King his Father's Rebels in *Aquitain* to their former Allegiance. So the *Captal* having received Orders to beſiege that City, it was taken by him within a few days: And not long after, *viz.* on the ſixth of *July*, the Prince in Perſon began [4] his March from *Bourdeaux* with an Army of twelve thouſand men, whereof only three thouſand were natural *Engliſh*: but moſt Writers agree, that his Forces amounted to little more at this time than eight thouſand men, which was for certain the utmoſt Number he had at the Battel of *Poictiers*; and * *Froiſſart* reckons them to be but two thouſand Men at Arms and ſix thouſand Archers. With this ſmall, but well choſen Army (having left the Lord *Bernard de la Bret* his Lieutenant in *Gaſcoigne* with ſufficient Power) the Prince march'd thro *Quercy* and *Auvergne*, where He found plenty of all things, burning, plundering and deſtroying all before him in hoſtile manner; tho what ſhould be the reaſon that the Prince ſhould bring ſo great an Army into the Field the laſt Campagn, and ſo ſmall a one now, I cannot underſtand; unleſs it were, that He ſuppos'd the *French* King being taken up in *Normandy*, would not be able to give Him any great Diſturbance in thoſe Parts; but if it were ſo, this falſe Conſideration had like to have proved his Ruin, had it not been for his extraordinary Valour and good Fortune, as you will find hereafter.

[2] Stow, p. 259. *The Prince of* Wales *makes great Preparations for War.*

[3] Rob. Aveſ. c. 106. *On the March of the* Captal de Buche *into* Perigort, *the Earl of it endeavours to put off the Siege.*

Pr. Edward's *Anſwer to the Pope's Propoſal.*

[4] T. W. Mezeray ad hunc An. *The Pr. marches from* Bourdeaux *with a ſmall Army.*

* C. 157.

Thus the Prince marched on without any Oppoſition, [5] until He came to *Bourges* the chief City of *Berry*, which being well defended, He could not take, any more than He could the ſtrong Caſtle of *Iſſodune*, which He briſkly aſſaulted, but was repulſed by the great Valour of thoſe within; but He had better Succeſs at *Vierzon*, which

[5] Id. ib. *The Prince could not take* Bourges *nor* Iſſodune, *but takes* Vierzon.

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But upon News of K. John's *approach, he retires towards* Bourdeaux.

He took and plunder'd, and finding great ſtore of Proviſions in it, ſtaid there three or four days to refreſh Himſelf and his Army. Whilſt the Prince was here, He received News of the *French* King's being come from *Paris* to *Chartres*, in order to his March againſt Him; and knowing He was not ſtrong enough to give Him Battel, He was adviſed by his Council to turn off on the Left hand into *Poictou*, and by that way to return thro *Saintogne* to *Bourdeaux*.

[1] Id. c. 158.
The Town of Romorantin *is taken, and the Caſtle ſurrender'd.*

[2] Id. c. 158.

In his March towards thoſe Parts, [1] the Prince's Van-Couriers took the Town of *Romorantin*, but the Caſtle being too ſtrong for them, ſo ſoon as he arrived with his Army, He laid cloſe Siege to it: Yet it being valiantly defended by the Lord *de Craon* and other *French* Noblemen, He was often repulſed with loſs, until at laſt an Eſquire whom he loved being kill'd hard by Him with a Stone from an Engine, He [2] ſwore that He would never raiſe the Siege, till He had taken the Place; and to make good his Oath, He batter'd it ſo ſeverely with his Engines, with which He alſo ſhot Wild-fire, that the Roof of the Caſtle being ſet all in a flame, and the Commanders not only ſeeing that, but themſelves like to be burnt, they ſurrender'd to Mercy, and were all made Priſoners, together with a great many of Quality; but the common Soldiers were diſmiſs'd, becauſe they would not burden themſelves with too many Priſoners, having already taken above ſix thouſand in this Expedition, who had been all ſent to *Bourdeaux* in order to be exchanged. After the taking of *Romorantin*, the Prince marched on as before, thro *Tourain* and *Anjou*, on this ſide the *Loire*, deſtroying the Country, till He came to a Place not far from *Poictiers*, which was ordain'd to be remarkable for the Great Victory He there obtain'd, and which I ſhall now proceed to relate.

He marches thro Tourain *and* Anjou, *till he approaches near* Poictiers.

[3] Froiſ. c.159.
K. John *marches after the Prince, and overtakes him near* Poictiers.

[4] Id. c. 161.
O. Raynold. ad hunc An.
Two Cardinals ſent from the Pope, mediate a Peace.

[5] Froiſ. c.160.

* *In* Froiſſart *it is* 16000, *but that is certainly an Error of the Copyer.*

K. John *orders his Army to be drawn up in Battalia.*

King [3] *John*, having whilſt He ſtaid at *Chartres*, raiſed a vaſt Army of the Flower of the Nobility of *France*, marched from thence to *Blois*, where He reſted two days, and then went by ſeveral other Places to *la Hay en Tourain* (his Army paſſing the *Loire* at the Bridg of *Orleans*) and there reſolving to give Prince *Edward* Battel, advanced forwards without any great ſtay, till He had paſſed the River *de la Creuſe*, at the Bridg of *Chauvigny*, where thinking to have found the *Engliſh* before Him on the other ſide, He was miſtaken, for they were encamp'd near a little Village on the Right hand of *Poictiers*; but for all that King *John* perſued them with great Heat and Confidence, being attended by near fifty thouſand Horſe, beſides the Foot, which were as many more. [4] When King *John* arrived at *Poictiers*, there came again to Him the two Cardinals of *Perigort* and *St. Vitalis*, who were ſent by the Pope to mediate a Peace between Him and the Prince of *Wales*; but the *French* Noblemen of the Council were ſo confident of the Victory, that at firſt they ſlighted their Mediation. Then [5] the King order'd his Army to be drawn up in three Battalions, the leaſt of which conſiſted of * ſix thouſand Men at Arms, beſides Foot: The firſt of which was led by the Mareſchals of *Clermont* and *D'Endraghan*, accompany'd with the Duke of *Orleans*, being then about twenty Years of Age. The ſecond was commanded by *Charles* Duke of *Normandy* and *Dauphin* of *France*. The third, conſiſting of thirty thouſand Foot and Light Horſe, was led by the King Himſelf; and here were the Prime Nobility of *France*. When the Army was thus drawn up, the King made thoſe that were about Him

He makes them a ſhort Speech.

Him a ſhort Speech, telling them, "that whilſt they were at *Paris*, "and on their March, He had heard them ſpeak very big words, "what they would do to the *Engliſh*, whenever they came in their "way: That now they were not far off, and therefore He would "quickly lead them thither; and now He hoped to ſee ſutable "effects of what they had ſo long threaten'd.

[1] Froiſ. ib.

Pr. Edward, *when he could not avoid fighting, encamps his Army as ſtrongly as he can.*

In the mean while, [1] Prince *Edward* ſeeing there was no way to eſcape without fighting, was reſolved to make the beſt He could of the great Diſadvantage He had in Numbers, and to do that by Policy and prudent Conduct which could not be obtain'd by Force; and to this end being now come into the Fields of *Beauvoir* and *Maupertis*, within two ſmall Leagues of *Poictiers*, He there choſe out a Place for the Encampment of his Army (which were chiefly Foot) where He knew He could not be aſſaulted without great diſadvantage to the Enemy: It was among Incloſures ſet thick with Vines and Buſhes, and here He reſolved to ſtay, and expect the Arrival of the Enemy. But as for the Number of the *Engliſh*, and the Order in which they were drawn up, I ſhall refer you to the Account [2] which the Lord of *Ribemont* gave of it, who being with other *French* Lords ſent out to view the Number and Order of the *Engliſh* Army, at his return made this Report to the King: "That as far as they could "judg there were not eight thouſand in all, drawn up in one Body "or Battalion, but very wiſely order'd: For the Hedges being all "lin'd with their Archers, none could march by without great Dan-"ger: That there was but one Avenue or Paſs which led to the "Place, which was alſo lin'd on both ſides with Bows, and could "not receive above four Horſemen abreaſt: At the end of this Lane "ſtood a Body of Men at Arms all on foot, within a long ſquare Bo-"dy of Archers before them; ſo that it would be very hard to enter "upon, and break them. Then the King asking his Advice, what was beſt to be done on this occaſion; his Anſwer was, that he thought the chief of the Nobility ſhould alight and fight on foot, except eight hundred of the choiceſt and beſt arm'd Horſe, who ſhould firſt enter the Lane, to break the Ranks of the Archers; upon which the Men at Arms ſhould march in boldly after them on Foot, and then fight the *Engliſh* hand to hand; only the *German* Cuiraſſiers were to remain ſtill on Horſe-back, to aſſiſt the Mareſchals of the Army, if need ſhould be. This Advice was well received by the King, and He order'd it to be put in execution.

[2] Id. ib.

The number of the Engliſh, *and the Order in which they were drawn up.*

[3] Id. c.161.

The Cardinal of Perigort *endeavours to bring the Prince to yield to the K. of* France's *Conditions.*

When the Armies on both ſides ſtood thus ready prepared for a Battel, the [3] Cardinal of *Perigort* came once more to King *John*, and kneeling before Him, deſired leave to go to the *Engliſh* men, and ſee if he could get them to yield themſelves upon Conditions. The King gave Him his Conſent, provided he would make a ſpeedy return. Then the Cardinal immediately rode away to the Prince of *Wales*, whom he found at the head of his men, within the Encloſure of a Vineyard, where after a ſhort Salutation he told him, that conſidering the great diſadvantage upon which He was now like to fight, he hop'd he would give him leave to endeavour to compoſe Matters between the *French* King and Him. The Prince reply'd, that He was willing to agree to any thing, *that might conſiſt with his own Honour and that of his Country.* Whereupon the Cardinal return'd back

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to the *French* King, and deſired a Truce until the next Morning, to ſee if he could in the mean while compoſe matters between them; which at laſt the King conſented to, tho with ſome Reluctance, for ſeveral of his Council oppoſed it.

[1] Id. ibid.
The high Demands of the French *King.*

The Offers the Prince made, provided he might return to Bourdeaux,*all which are refuſed by the* French.

The Prince's Reply to the French *Demands.*

Who utterly refuſe the Cardinal's farther Mediation.

All [1] that Day being Sunday, the Cardinal ſpent in riding to and fro between the two Armies, but without any Succeſs, the *French* Demands were ſo high; for King *John* at firſt inſiſted to have four of the Principal *Engliſh* Noblemen at his Mercy, and that the Prince and all the reſt ſhould yield themſelves his Priſoners: this haughty Demand was received by the Prince with Scorn and Diſdain; yet He freely offered, That if He might be permitted to march back with his Forces to *Bourdeaux*, He would reſtore all the Caſtles and Places He had taken this Summer, together with the Priſoners, and would alſo ſwear not to bear Arms againſt the *French* for Seven Years after; and alſo (as ſome Authors have it) to pay all the Charges the King had bin at in this Expedition, but this He would by no means accept; and his laſt peremptory Demand was, That the Prince and an hundred of his Principal Noblemen and Knights ſhould ſurrender themſelves Priſoners; but that all the reſt might go whither they pleaſed, or elſe He would uſe his utmoſt Advantage againſt all of them, the Prince's Perſon only excepted. To which unworthy Motion, the Prince replied with a contemptuous Smile, That He hoped to Conquer; but if not, He could but die, yet would never yield to loſe his Honor, which He valued above his Life. So when the Cardinal ſaw that all his Endeavors for Peace were in vain, having laboured all Night until it was dark, he retired to *Poictiers*, intending to renew his Mediation the next Morning, as indeed he did, until it became ſo ungrateful to the *French*, that they threatned if he would not deſiſt, not to have any farther regard to his Character; ſo that leaving their Camp, he went to Prince *Edward*, and gave Him an Account how He had found his Enemy not to be farther perſuaded: however theſe Delays proved ſomewhat to the Advantage of the *Engliſh*, who during that Day and the Night following, made new Ditches, and Hedges about their Archers, to render them more ſecure againſt the *French* Horſe.

[2] Id. c. 162.
The Prince encourages his Men. His Speech to them.

[3] Id. c. 161.
Stow p. 261.
He draws up his Army in three Diviſions, and the Stratagem he uſed.

[2] When the *Engliſh* Prince ſaw that He muſt have a Battel, He preſently mounted his Horſe, and rode thro the Ranks, and put them in mind, "That tho they were but a ſmall number in reſpect of their E-"nemies, yet Victory was in the hands of God, and was not always "to be gain'd by a Multitude; which if they obtain'd, they ſhould "win perpetual Honor, or if not, they could but die, which all of "them ſooner or later muſt expect; and concluded that *England* "ſhould never pay his Ranſom, ſince for his part He reſolved either "to die or Conquer. Theſe and the like Courageous Speeches highly raiſed the drooping Spirits of his Soldiers, ſo that the Prince had nothing more to do, but to put his Men in Battel Array; and [3] when He had divided his ſmall Forces into three ſeveral Bodies, beſides theſe He order'd the Lord *John de Greilly* (commonly called the *Captal* of *Buſche*) to march with three hundred Men of Arms, and as many Archers on Horſeback, and ſecretly to coaſt round about an adjoyning Hill, to be ready to fall upon the Back or Flank of the Enemy in the heat of the Action, which he did accordingly; and lying in Am-

buſh among the Buſhes till the Armies were engaged, he then did the Enemy no ſmall prejudice.

In the mean while [a] the *Engliſh* kept themſelves quiet and ready to receive the firſt Charge of the *French*, which was began by the three hundred Select Horſe, that were order'd to break in upon the Archers; which they endeavouring to do, met with that ill ſucceſs, that many of them were killed or wounded, tho ſome of them got within the Encloſure, as far as the ſquare Body of Archers that ſtood before the Prince; but theſe poor *French* Gentlemen being not timely aſſiſted, were either killed with Arrows, or cut in pieces by the Men at Arms. Then one of the main Bodies of the *French* Army being commanded by the two Marſhals of *France*, would have enter'd the Encloſure at a gap, and thought to have come in upon the backs of the *Engliſh* Van-guard, led by the Earl of *Warwick*; but the Earls of *Saliſbury* and *Suffolk*, who brought up the Rear, obſerving it, preſently ran up to ſtop their entrance, which they did with ſo good effect, that it produced a terrible Conflict who ſhould have the better, till the *Engliſh* Archers ſtarting up from behind the Hedges, ſhot ſo furiouſly upon the Enemy, that at laſt the whole Battalion was put to flight, and the Marſhal *D'Endreghan* being taken Priſoner, the Marſhal *de Clermont* was there ſlain, together with the Earl of *Dowglas*, and ſeveral *Scotiſh* Commanders, who had brought about three thouſand *Scots* to that Battel, but they were all either routed or killed. Thus the Marſhal's Battalion was wholly diſcomfited, and fell foul on one another; and thoſe who were behind, not being able to advance forward, were forced to retire back upon the ſecond Battalion that was led by the *Dauphin*, and much diſordered them. Whilſt the *Engliſh* thus charged the *French* in the Front, the *Captal de Buſche* came down the Hill on their backs with his Archers and Men at Arms, whereat the *Engliſh* were ſo mightily encouraged, and the *French* ſo confounded, that by a freſh Volly of Arrows which the Archers then gave them, they alſo began to give way, and the *Engliſh* by little and little gain'd Ground upon them.

[a] Froiſ. ib. Mezeray.

The Engliſh *receive the Charge of the* French *Cavalry, and put them to the rout.*

One of the main Bodies of the French *endeavour to force the* Engliſh *Van-guard, but are prevented.*

The French *Battallion is put to flight.*

The Captal de Buſche *charges the* French *in the Rear, which makes them give ground.*

At [a] this time, when the Lord *John Ghandois* ſaw the firſt Battalion of the *French* routed, and the ſecond like to follow it, he adviſed the Prince (who had hitherto ſtood upon the Defenſive) to mount his Horſe, and advance towards the main Battalion of the Enemy, where the *French* King was, for there lay the whole Streſs of the Fight; which He immediately did, commanding his Standard-Bearer to march, when in their way thither they came where the Duke of *Athens* and the Conſtable of *France* were engaged with a ſmall Squadron of *Engliſh*; but upon the Prince's coming up to their aſſiſtance, the Duke himſelf was ſlain, and his Men put to flight. Then the Prince falling upon the Body of *German* Horſe, under the Conduct of the Earls of *Saltzburg*, * *Naſſau* and *Neydo*, they were immediatly ſhatter'd and broken; the Archers ſhooting ſo wholly together, that none durſt abide them, the Earl of *Naſſau* was taken Priſoner, but the two other Earls were ſlain outright, as were many other Knights and Eſquires of their Party, few or none in that hurry being taken to ranſom. Then the *Dauphin*'s Battalion (as I have already ſaid) being hard put to it, when they ſaw the Prince alſo approaching to charge them in the Flank, the *Dauphin* himſelf thought it not beſt to ſtay any longer, but immediately

[a] Froiſ. ib.

The Prince advances againſt the main Battalion, where the K. of France *was.*

The Prince routs the German *Horſe.*

* *In* Froiſart *it is* Noſto, *but that is an error, for there was no Earl of that Name.*

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fled out of the Field with his two Brothers, towards *Chavignie*, being followed by eight hundred Lances.

[1] Id ib.

The Prince receives the charge of K. John.

[1] When the *French* King ſaw that his three Sons had left the Field, and that the *Engliſh* were like to gain the Day, He then immediately commanded his Standard-Bearer to march forward, vowing that He would not forſake the Field, till He had his Revenge, unleſs He was either ſlain, or taken Priſoner. Then the Prince with his ſmall and almoſt tir'd Battalions, was forc'd to receive the Charge of King *John*'s, conſiſting of twice his number of freſh Men; and here the Fight was renew'd with greater Fury than ever, and the Prince and his Forces would in all probability have been loſt (tho they defended themſelves with all the Gallantry imaginable) had not the Earls of *Warwick*, *Salisbury* and *Suffolk* juſt then return'd with their Squadron from the perſuit of the *French* that fled; but yet the *Engliſh* Archers were ſo put to it, that their Quivers being ſpent, they were forced to pick up Arrows in the Field from among the Bodies of the Dead; and [2] theſe being not ſufficient, many of the Soldiers took up Stones that lay in the Field to fling at the Heads of their Enemies: ſo that there was a fierce and deſperate Engagement on both ſides, until at laſt by the Valour of the *Engliſh*-men at Arms, but chiefly by the Skill and Gallantry of the Archers, the *French* Army was entirely defeated, moſt of them quitting the Field without fighting a ſtroke; [3] but K. *John*, behaving himſelf moſt valiantly with a weighty Battel Ax in his hand, was taken by a Knight of *Artois* called Sir *Denis de Morbeque*, to whom he gave His Gantlet, a ſa Token that He was his Priſoner; and with Him was alſo taken his Youngeſt Son *Philip*, who, tho but about thirteen Years old, now ſhar'd in his Father's Miſfortune; and not far from the King's Perſon, the Valiant Lord *Charney* his Standard-Bearer, as alſo the Earl of *Damartin*, with divers other Lords and Perſons of Quality were ſlain; yet the Lords that were taken Priſoners were far more numerous, than thoſe that were killed; the Chief of whom were the Earls of *Eu*, *Tankerville* and *Ponthieu*, with the L. *James* of *Bourbon*, and divers other Earls and Barons, whoſe Names you may find in my [4] Author, as well as thoſe that were ſlain.

He is relieved by the Earls of Warwick, *&c.*

[2] T. W.

[3] Froiſ. c. 164.

King John *is taken priſoner with his Son* Philip; *many of the* French *Nobility are ſlain, and the whole Army routed.*

[4] H. K. Col.

When [5] the Prince had thus perform'd the Parts both of a Prudent General, as alſo of a Valiant Soldier, and that the Fight was now over, He ſat down to repoſe Himſelf under a ſmall Pavilion pitched on purpoſe in the Field; where the News was brought Him by the Earl of *Warwick* and Lord *Cobham*, whom He had ſent to ſcowr the Field, that the *French* King was taken Priſoner, and that there was ſuch contending between thoſe who laid Claim to Him, that He was in ſome danger of his Life, by their ſtriving who ſhould have Him; whereupon the Marſhals of the Field immediately ordered, that no Man ſhould touch or approach his Perſon: Then being mounted, they conducted Him and his Son *Philip* to the Prince of *Wales*, who receiv'd them with great Honor and Reſpect; yet He was not at all elated at this Extraordinary Succeſs, [6] but cauſing Wine and other Refreſhments to be brought, He Himſelf would needs ſerve the King with Drink, who afterwards was ſafely kept in his own Quarters.

[5] T. W. Froiſ. ib.

The Fr. *King is brought priſoner to the Prince, who receives him with great Reſpect.*

[6] Id. c. 165.

The gerat Battel at Poictiers, *with the cauſes of the Victory*

Thus was this Memorable Battel won in the Fields of *Beauvoir*, about two Leagues from the City of *Poictiers*, on the nineteenth Day of *September*, being Monday; it began about Nine in the Morning, and

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ended a little after Noon; which Victory as it was chiefly owing to the great Conduct of the Prince, and Courage of his Commanders and common Soldiers, ſo was it alſo to be aſcribed to the Raſhneſs and Temerity of King *John*, and his principal Counſellors, who rejecting all reaſonable Conditions, being blinded with Paſſion, inſtead of hemming in that ſmall Body of *Engliſh*, and forcing them to ſurrender for want of Proviſions, as they muſt have done in a ſhort time (who were already in great want thereof) the *French* King with the Fury of a Lion rather than a General, muſt needs ſet upon the *Engliſh* in their Entrenchments, and thereby meet with that remarkable Defeat, which ſo great an Arrogance juſtly deſerved.

on the Engliſh *ſide, and the Defeat of the* French.

The Quality and Number of the ſlain on the French *ſide.*

There [1] were ſlain at this Battel divers of the Chief and the moſt Valiant of the Nobility of *France*, among whom were the two Dukes of *Bourbon*, beſides many Counts and Barons, five, or (as ſome ſay) ſix thouſand Men of Arms, thoſe of the common ſort not being number'd, tho ſome reckon them about eight thouſand more; but the Chief Noblemen were afterwards buried in the Convent of the *Jacobines* at *Poictiers*: yet the Slaughter was far leſs here than at *Creſſy*, becauſe the *Engliſh* were not half ſo numerous now, and the Prince durſt not perſue the Chaſe too far, till He had compleated the Victory; by which time all of the meaner ſort had quitted the Field, and thoſe of the better were either ſlain or taken. The place of Battel was left free to the *Engliſh*, and more [2] than an hundred Warlike Banners or Enſigns were brought away in Triumph. When the *Engliſh* were all return'd from the Chaſe, they found how they had twice as many Priſoners as themſelves, the Chief whereof were the *French* King, and the Lord *Philip* his Son, [3] Seventeen Earls, beſides Barons, Knights and Eſquires to the number of Fifteen hundred, or (as others ſay) two thouſand Men of Arms; wherefore 'twas thought fit, becauſe of the great charge and danger of keeping ſo many Priſoners, that they ſhould put ſeveral of the leaſt conſiderable of them to Ranſom in the field, and their bare Paroles taken for the Mony; for they found the *Engliſhmen* and *Gaſcoigners* very courteous, many being let go only upon their words, to return again between that and *Chriſtmas* to *Bourdeaux*, with their appointed [4] Ranſoms, which were very eaſy and reaſonable; for the *Engliſh* ſaid, they would not ſet ſo high a Price upon a Knight or Gentlemen, *but that he might ſtill be left able to live after his Rank, and to follow the Wars in an Equipage agreeable to his Quality.*

The great number of Priſoners taken of all ſorts.

Many of the Priſoners let go on their Paroles to pay eaſy Ranſoms.

Very few ſlain on the Engliſh *ſide.*

But to ſay ſomewhat more of the *Engliſh*, I do not find how many of them were killed in all; but certainly they were not many, ſince I do not ſee them particularly mention'd, no more than I do the Names of any Perſons of Quality that fell that Day: But as for thoſe who were moſt remarkable for their Valour, they were theſe, the Earls of *Warwick*, *Suffolk*, *Saliſbury*, *Stafford*, Sir *James Audeley*, and Sir *John Chandois*, &c. who behaved themſelves very bravely; but beyond others the Earl of *Warwick*, Sir *James Audeley* and Sir *John Chandois*; ſince [5] the Firſt of theſe not only put the Enemy to flight, but alſo reliev'd the Prince when He was in the greateſt Danger; and the Second attended by four of his Eſquires began the Fight, and (according to a Vow that he had made) boldly engag'd with that part of the *French* Army that was led by the Mareſchals *de Clermont* and *D'Endreghan*, till being quite ſpent with loſs of Blood, he was forc'd to be carry'd

The Names of thoſe Engliſh *Noblemen who behaved themſelves gallantly.*

out

[1] Mezeray. T. W.

[2] Pol. Virgil. Lib. 19.

[3] Paul. Æmyl. T. W. p. 197.

[4] Froiſ. c. 169.

[5] Froiſ. c. 162.

out of the Field: But as for the laſt of theſe, he never ſtir'd from the Prince's Perſon, but by his Valour and Advice was a great means to gain the Victory; and for the Prince Himſelf, *Froiſſart* ſays, He was as courageous as a Lion, and took pleaſure to fight with and chaſe his Enemies; ſo that his Courage and Conduct was that day moſt remarkable and extraordinary. But to return to our Relation,

[1] Id. c. 169. *The* English *uſe their Priſoners well.*

[2] Vid. Seldeni Mare clauſ. l.1. c.26. p.171.

[3] Froiſ. c.168. *The Prince makes K.* John *a noble Supper, and waits on him himſelf.*

[1] That night the Army encamped hard by the Place of Battel, having diſarmed all their Priſoners, and appointed certain in every Quarter to ſtand to their Arms, beſides the uſual Watches: and every man made much of his Priſoners; for whoever had taken any Priſoner that day, he had him clear to himſelf, either to acquit or ranſom him at his Pleaſure; except only the *French* King and his Son, [2] or whoever elſe, whoſe Ranſom exceeded ten thouſand Crowns: For by Law of Arms, thoſe whoſe Redemption was valued at more than that Sum, belonged to the King. The [3] Night after the Battel, the Prince order'd a noble Supper to be provided for the *French* King, and the Priſoners of the higheſt Quality; and this might be eaſily done, for tho the *Engliſh* were in great want of Proviſions before the Fight, they were now Maſters of the *French* Camp, in which there was plenty of all things: But the Prince was ſo courteous and well-bred, that He not only cauſed the *French* King to ſit down at the Table with Prince *Philip* his Son, and the Lord of *Bourbon* and ſeveral other Princes of the Blood bearing him Company, whilſt the reſt of the Lords and Knights ſat at other Tables; but He would needs alſo wait on the King at Supper, and being deſired by Him to ſit down, his Reply was, *That He was not worthy to ſit down with ſo great a Monarch as his Majeſty was.*

The Prince's handſom Speech to the French *King.* [4] Du Cheſne, p. 678. Paul. Æmil. p.197.

But when for all this He perceived, that the King's Countenance was much dejected, He endeavour'd to raiſe his Spirits by ſpeaking to this effect: " [4] That his Majeſty being one of the braveſt of Chriſtian " Kings, had no cauſe to be penſive or concern'd: For tho his Arms " had not been favour'd by Him, who is the Diſpoſer of Victory, " yet his Gallantry muſt be acknowledg'd, and his Royal Dignity " ſtill preſerv'd inviolable: That tho among ſo many Battels He had " been in, ſome had ſucceeded otherwiſe than He expected, the Inſtability of Fortune would have it ſo, which ſometimes baffles Multitudes, and gives Victory to a few, notwithſtanding the Oppoſition of the greateſt Forces.

" That as in relation to Himſelf, He promiſed that the Realm of " *France* ſhould always find Him grateful to her which had produced " and nouriſhed ſo many of his Progenitors, and towards his Majeſty " (if He would permit him to glory in that Title) He would ſtill " ſhew himſelf a moſt obſequious and reſpectful Kinſman: That as " to the King his Father, there were ſo many Reaſons to create Love " and Friendſhip between his Majeſty and Him, that knowing his " private Thoughts and Affections, He (the Prince) could not but " have great hopes of their coming to a ſpeedy and reaſonable Agreement: That as for Himſelf, He wiſhed the King might no longer own Him for his Son, when He ceaſed to expreſs the ſame " Honour, Reverence and Reſpect to his Perſon, as to that of the " King his Father.

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This wonderful Submiſſion in a conquering young Prince, little more than five and twenty Years of Age, [1] did melt the captive King into Tears; and when the *French* Lords ſaw the Prince ſo humble in ſo high a Gale of Proſperity, and heard the generous Language He ſo obligingly utter'd, they began to whiſper among themſelves, *that He had ſpoken bravely, and that in all probability He would prove a moſt accompliſhed Prince, if God would grant him Life.* When [2] King *John* ſaw that He was not unhappy in falling into the hands of ſo obliging a Conqueror, tho inwardly afflicted in mind, yet He forced Himſelf to a civil Smile, and looking kindly on the Prince, He ſaid, “That ſince (to his ſorrow) it had been his chance to have been overcome, yet it was ſome alleviation of his Grief, that He had not behav'd Himſelf unworthily, and that He was fallen into the hands of ſo valiant and courteous a Prince; who thereupon did what He could to comfort Him with all the kind and obliging Expreſſions that were poſſible, as by admiring his Vertue and extolling his Valour above that of the chiefeſt of his Commanders. After which King *John* ſpoke little, [3] but highly commended the Valour of the Lord *Audeley*, who having behav'd himſelf very gallantly, was then grievouſly wounded. Then after ſome civil Diſcourſe with the Prince, He roſe from Supper, and was conducted to his Pavilion.

The French *King,* &c. *mightily taken with his Noble Carriage.*

[1] Froiſ. ib.

[2] Paul. Æmil. p. 197.

K. John*'s handſom Reply to the Prince's Speech.*

[3] Stow, p. 263.

I have been the more particular in this Relation, becauſe it is one of the greateſt Examples of Humility and Generoſity that we find recorded in Hiſtory, and is an excellent Example for conquering Princes to obſerve on any like occaſion.

The day following [4] the Prince order'd his whole Army to march, with their Priſoners and Baggage, with which they were ſo laden, that He not thinking it ſafe again to venture ſo noble a Prey, marched by the City of *Poictiers* without aſſaulting it, or committing any Act of Hoſtility in his Return; during which they alſo met with no Reſiſtance, the whole Country was ſo terrified with the late wonderful Succeſs. So that by many days eaſy Marches thro *Poictou* and *Saintogne*, He paſſed the River *Garonne* at *Blaye*, and from thence went to the City of *Bourdeaux*, [5] where the Prince wrote Letters to the King his Father, to give him a full but modeſt account of his Victory, promiſing the next Spring (God willing) to return with his Priſoner into *England*, hoping by that time to provide a ſufficient Fleet for that purpoſe. When King *Edward* received this News, it is not to be queſtion'd but He was highly pleas'd, and not only returned thanks Himſelf to God for ſo ſignal a Victory, but [6] alſo enjoin'd the Arch-Biſhops of *Canterbury* and *York*, that for eight days together they ſhould thro their ſeveral Provinces cauſe publick Proceſſions and Prayers to be made for the Souls of thoſe who fell in the late Battel; and alſo to return ſolemn Thankſgiving to God for ſo ſignal a Victory vouchſafed unto the *Engliſh* Nation.

[4] Froiſ. c. 169.

The Prince marches with his Army without doing any Act of Hoſtility.

[5] Pol. Virg. l. 19.

He gives Edward *an account of his Victory.*

[6] Id. ib.

Not long after the Prince's arrival at *Bourdeaux*, [7] the Cardinal of *Perigort* again apply'd himſelf to Him as Legate from the Pope, in order to ſettle ſome Truce or Agreement between the two Realms; but the Prince at firſt would not be ſeen by him, becauſe ſeveral of the Cardinal's Relations and Retinue had been engag'd againſt Him in the late Fight, ſome of whom had been kill'd, and others taken Priſoners: But at laſt, upon the Cardinal's proteſting, that it was done

[7] Froiſ. c. 169.

The Cardinal would again mediate a Truce, but is refuſed by the Prince, and why.

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The Cardinal ranſoms his Relations and Retinue.

[6] Odor. Rain. ad hunc An.

The Pope writes to the Prince in favour of the French.

without his Privity or Conſent, he was not only admitted to ranſom the Priſoners at eaſy Rates, but alſo to the Prince's Preſence, by whom he was received with that Sweetneſs and Humanity, that he could not but highly commend Him in his Letters to the Pope, in which he alſo ſet forth his great Kindneſs and Moderation towards the King of *France*; whereupon [6] the Pope himſelf not long after wrote Letters to the Prince, not to congratulate his good Fortune, but to exhort Him to ſhew farther Clemency to the Conquer'd, and amidſt his Triumphs to accommodate his Mind to Peace, and to return thanks to Almighty God. Theſe Letters were writ by this Cardinal as his Nuncio, on 5 *Non. Octob. Anno Pontif. IV.* being this very Year.

[1] Froiſ. c. 169.

The Prince being arrived at Bourdeaux, *lodges K.* John *in the Abby.*

He decides the difference between them that pretended to take him Priſoner, and nobly rewards him who did it.

When Prince *Edward* was thus arrived at *Bourdeaux*, [1] He lodg'd the *French* King in an Apartment of the Abby of St. *Andrew*, whilſt He Himſelf kept his Court in another Quarter of it. Not long after there aroſe a great Conteſt between Sir *Denis de Morbeque*, and divers Knights and Eſquires of *Gaſcoigne*, who ſhould have the Honour of taking the *French* King Priſoner; ſo that it was like to have come to a Combat between them, had not the Prince expreſly forbad them, ſaying, He would leave it to the determination of the King his Father. However in the mean while this Generous Prince, conſidering that Sir *Denis*, being a baniſhed man, had but little to live on, except what he could get in the Wars, cauſed ſecretly to be deliver'd into his hands two thouſand Nobles, to ſupport him handſomly againſt the time he ſhould appear in the Court of *England*; and to make an end of this matter, the next Year when King *Edward* and his Council had determin'd this Diſpute in his favour, the Prince gave him five thouſand Crowns more in Gold, tho he could not claim any thing as of Right, becauſe of the Law already recited concerning Priſoners.

[2] Id. c. 173.

The Prince keeps his Chriſtmas at Bourdeaux *with great Magnificence.*

The Prince continued all the Winter at [2] *Bourdeaux*, where he kept his Chriſtmas with great Splendour and Magnificence; thoſe Knights and Soldiers who had been at the late Battel of *Poictiers*, being every where received with high Reſpect, whilſt the *French* Commanders and Men of Quality, who had fled from thence, were in all places treated by their Country-men with Obloquy and Contempt.

[3] Id. c. 156.

The Actions of the D. of Lancaſter *in* Bretagne *after the late Victory.*

[4] H. K. col. 2612, 2615.

But I ſhall now give you ſome account of what happen'd in the other Parts of *France* in the mean while. [3] The Duke of *Lancaſter* continued in *Normandy* all the time of the Prince's late Expedition, and together with Prince *Philip* of *Navarre*, and the Lord *Geoffry* of *Harcourt*, would fain have got to the Prince, but fearing that the Paſſages of the *Loire* were ſo ſtrictly guarded, that there was no getting over, they were fain to continue at *Monteburgh*; but [4] upon the News of the Victory of *Poictiers*, the Duke return'd into *Bretagne*, to aſſiſt the Counteſs of *Montfort*, and about the end of this Year laid Siege to the City of *Rennes*: It being then the midſt of Winter, the Soldiers endured great Hardſhips, tho the Place was taken at laſt, after a long Siege, as you will find anon.

[5] Froiſ. c. 170. Mezeray ad hunc An.

Great Confuſions in France.

In the mean while the Affairs of *France* fell into great confuſion and diſorder; [5] for the Dauphin having under the Title of the King's Lieutenant, not long after his Impriſonment, ſummon'd an Aſſembly of the Eſtates of the Kingdom, upon a Declaration to them of the common Dangers and Neceſſities thereof, he found, that which is always the effect of a careleſs and bad Government, nothing but Re-

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monſtrances and Complaints: Nor would they grant any Aſſiſtance for the Redemption of the King from his Captivity, unleſs the *Dauphin* would turn out the Arch-Biſhop of *Rouen* from being Chancellor, *Simon de Bucey* from being firſt Preſident, with ſix or ſeven other of the principal Officers of State, whoſe Goods they would alſo have confiſcated, as the Authors of all their late Oppreſſions: and farther, that He ſhould ſet the King of *Navarre* at liberty, and govern all Affairs by a Council of their choice. But the *Dauphin* durſt not conſent to ſo great an Alteration in the State, without the King his Father's Conſent; and He being wrote to on purpoſe about it, returned anſwer, *That He had rather continue Priſoner to an honourable Enemy, than return home and be a Slave to his own Subjects.* Whereupon the *Dauphin* was forc'd to diſſolve the Eſtates, without doing any thing for which they were aſſembl'd.

[1] Froiſ. c. 172.
The Ld Geoffry de Harcourt *is met by the Dauphin's Forces, and kill'd on the Place.*

All the good Succeſs that the impriſon'd King's Affairs met with this Year, was, [1] that during the ſitting of the Eſtates, Complaints being made to the *Dauphin*, that the Lord *Geoffry de Harcourt* ſent out Troops from his Caſtle of St. *Sauveur le Vicomte*, ſpoiling the Country to the very Suburbs of *Caen* and *Eureux*; the *Dauphin* was ſo far aſſiſted by the Eſtates, as to ſend out ſome Commanders with ſufficient Forces to reduce him, who meeting with him and his Men near *Coutance*, defeated them, and ſlew him on the Place, tho he made a ſtout Defence; for he was ſenſible, that it was much more honourable for him to die in the Field by the Sword, than by an Ax upon the Scaffold: Upon which theſe Parts of *Normandy* were pretty well quieted for a time, the Party of the King of *Navarre* being almoſt intirely reduced. The Death of this Lord was a great diſappointment to that Prince, as alſo to the King of *England*, [2] to whom he left a great Eſtate in *Normandy* by his Teſtament, diſinheriting his Nephew, Son to the Earl of *Harcourt*, becauſe he had not join'd with him to revenge the Death of his Father.

[2] Id. c. 173.
He leaves K. Edward *his Heir, and why.*

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[3] Id. ib.
Speed, p. 582.
Pr. Edward *tranſports himſelf and the* French *King his Priſoner into* England.

I find nothing to have happened in the beginning of this Year worth obſerving, [3] till the end of *April*, when Prince *Edward*, having got ready a ſufficient Navy for tranſporting his Royal Captive into *England*, left the Dutchy of *Aquitain* under able Lieutenants during his Abſence, and ſet ſail from *Bourdeaux* with certain Lords of *Gaſcoigne*, and a great number of *Engliſh* Officers and Soldiers. The *French* King was in a Ship by Himſelf, leſt He ſhould receive any diſturbance; but He was ſo well guarded, that there were no leſs than two hundred Men at Arms and two thouſand Archers diſpos'd in other Ships round about Him; for the Prince was afraid that the Eſtates of *France* would ſet out a Fleet to reſcue Him out of his Hands. But after a tedious Paſſage of eleven days at Sea, [4] they landed on the fifth of *May* at *Sandwich*, or as [5] others relate more truly, at *Plimouth* in *Devonſhire*, from whence they went by eaſy Journies to *London*, where [6] King *John* made a publick Entry mounted on a ſtately white Courſer, the Prince of *Wales* riding by his ſide upon a little black Nag, [7] being received by *Henry Picard* Lord Mayor of *London*, and all the Companies in their beſt Liveries, their Shops and Streets as they paſſed along being ſet out with their richeſt Plate and Tapiſtry, and alſo adorned with their choiceſt Weapons and Armour: and the Concourſe of People was ſo great to behold ſo unuſual a Spectacle, that

[4] Froiſ. ib.
[5] T. W.
[6] Froiſ. ib.
K. John *with the Pr. of* Wales *makes his publick Entry into* London.
[7] Speed, p. 594.
H. K. col. 2615.

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He preſents his Royal Priſoner to the King his Father, who receives him with much Reſpect.

that the Cavalcade held from three of the Clock in the Morning till High Noon, about which time the Prince got to *Weſtminſter-Hall*, where He preſented unto the King his Father, then ſitting on his Royal Throne, the Perſon of King *John* his Priſoner: Yet *Edward* could not long retain the ſevere Aſpect of a Conqueror; for when the *French* King came near the Throne, and bowed with ſuch a manly Submiſſion as became his preſent Fortune, the King was immediatly touched with a due conſideration of the Inſtability of human Affairs by the ſight of ſo great a Prince, whom He now beheld in this low Condition; and ſo riſing haſtily from his Throne, He met and careſs'd Him with as much Honour and Reſpect, as if He had only come to give him a Viſit. Nor did this great King make uſe of this ſolemn Entrance of his Royal Captive as a matter of his own Triumph, but rather of a devout Proceſſion; for by his Order, [1] that very day the Clergy of *London* went forth to meet the Prince with their Croſſes, ſinging Anthems in a ſolemn Proceſſion; and after that, for two days together, publick Supplications and Prayers with Thankſgiving, were celebrated thro the Cities of *London* and *Weſtminſter*.

[1] P. Virg. l. 19.

A ſolemn Proceſſion on the day of the Prince's Entry.

[2] Id. ib.

The French *K. is lodged in the* Savoy, *with the reaſon of its Name.*

Then King *Edward* treated the *French* King and his Son with the reſt of the *French* Priſoners after a Princely manner, ordering an Apartment for the King in his own Court, [2] till the Houſe now call'd the *Savoy* could be prepared for Him, being at that time a moſt ſplendid and magnificent Structure, belonging to the Duke of *Lancaſter*, and ſo called from its firſt Founder *Peter* Earl of *Savoy*, Father to *Boniface* Arch-Biſhop of *Canterbury*, who was Uncle to *Eleanor*, K. *Henry* the Third's Queen. So ſoon as this Palace could be got ready, the King was carried thither, where He was honourably attended, and often viſited by the King, Queen and Prince, who provided all ſorts of Exerciſes and Diverſions to take off his Melancholy for the loſs of his Liberty, tho without any great effect. Thus was King *John* and his Son, and the chief of the Captive Nobles of *France* entertain'd in *England*, whilſt divers of the other Priſoners of leſs note, were preſently releas'd upon King *John*'s giving his Security on their behalf, and the reſt were ſeverally beſtowed in ſafe Cuſtody.

[3] Froiſ. c. 175.

The Siege of Rennes *continued by the D. of* Lancaſter.

Count Charles *endeavours to raiſe it, but in vain.*

[4] H. K. Col. 2616.

But we ſhall now paſs to ſomewhat more material in *Bretagne*, ſince *England* affords us nothing elſe worth our notice. [3] The Duke of *Lancaſter* having beſieged the City of *Rennes* ever ſince the beginning of *Decemb.* the laſt Year (as has been already related) the Siege ſtill continued great part of this Summer, but with ſmall effect; for beſides the natural Strength of the Place, Count *Charles* of *Blois* had put a ſtrong Gariſon into it, under the Viſcount of *Rouen*, with other Noblemen of *Bretagne*. In the mean while Count *Charles* himſelf being in theſe Parts, was very ſolicitous to raiſe the Siege, and beſides his own Forces, daily importun'd the Regent of *France* for a ſtrong Reinforcement; but the Regent had his own hands ſo full, that He was not at leiſure to do any thing conſiderable: So the City began to be greivouſly ſtraiten'd; but when the Siege had continued for near nine Months, [4] Count *Charles* approached the Place with ten thouſand Men to raiſe it; but he found the Duke ready to receive him in the Field, and yet at the ſame time able to make good the Siege with another part of his Army, and ſo perceiving it not likely to ſucceed, he retired. Upon which the Beſieged ſeeing

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their Caſe almoſt deſperate, took the firſt opportunity by means of a Biſhop then in the Town, to treat with the Duke, and being kindly received, they at laſt agreed to deliver the Town on theſe Conditions: That the Inhabitants, upon the Payment of a hundred thouſand *Scutes* of Gold to the Duke for the Charges he had been at in the Siege, ſhould be ſafe as to their Bodies, Goods and Eſtates; and that then they ſhould deliver up the Town to ſuch Captain or Officer as the Duke ſhould appoint to receive it: All which was perform'd accordingly. And thus the Duke of *Lancaſter* became poſſeſs'd of this ſtrong Caſtle and Town, when it had been in the hands of the *French* for above a dozen Years.

The Town ſurrender'd on Conditions.

And indeed this Succeſs happen'd very luckily; for not [i] long before there came a Cardinal from *France*, to put the King in mind of the Agreement that had been made at *Bourdeaux* between his Son the Prince of *Wales* and King *John*, that upon the renewing a Treaty of Peace that was then reſolv'd on, the Siege of *Rennes* ſhould be rais'd: and at that very Juncture came hither from the Pope the abovemention'd Cardinals of *Perigort* and *St. Vitalis* to aſſiſt at the ſaid Treaty, which was then to be ſet on foot. Theſe Cardinals were preſented to the King at *Weſtminſter-Hall*, as He ſat in great ſtate upon his Throne; then one of them began his Diſcourſe with a Text out of the *Pſalms*, *Honor Regis Judicium diligit*, i. e. *The King's Honour loveth Righteouſneſs.* After which they propoſed what was intruſted to them by their Commiſſion, which was to this effect: *That King* Edward *ſhould have the Lands reſtor'd which his Predeceſſors had held in* France, *on Condition that Peace and Concord might be ſettled between the two Crowns.* To which King *Edward* anſwered briefly, *That altho ſome of the Lands of his Predeceſſors had been loſt for a time, yet He doubted not of recovering them again, when it ſhould pleaſe God; but that He would have nothing to do with them, unleſs they came to the point in hand, concerning the Crown of* France, *which He claim'd.* They anſwered, their Commiſſion extended not ſo far; and ſo the matter reſted, till they could hear from the Pope again, which they did not before the nine and twentieth of *Auguſt*. But in all theſe Treaties the Pope appeared notoriouſly partial to the *French* King's Cauſe; and that his Holineſs ſent theſe Cardinals hither for his own Intereſt more than to promote the publick Peace, appear'd by the Bull they brought over with them, enjoining every Biſhop by Papal Authority to make a Viſitation throughout their ſeveral Dioceſſes, and to pay their Procurations to the Legats: And it was ſaid, that this Sum was by the Pope intended for the aid and ſuſtaining of the *French* Intereſt; and indeed this pretended Peace-making was ſo chargeable, that at *Michaelmas* theſe Cardinals had of the Clergy of *England* Four-pence out of every Mark, as well of Spiritual as Temporal Eſtates; and yet no final Peace was made, only at laſt with much ado they procured a Truce between the two Kings, and all their Allies (except the Lord *Philip* of *Navarre* and his Friends, as alſo the Counteſs of *Montfort*, and the Lord *Charles* of *Blois*) to endure till the Feaſt of St. *John Baptiſt*, or the four and twentieth of *June*, which was to be in the Year 1359.

[i] H. K. col. 2615.

Two Cardinal Legats have Audience of the King, and make freſh Propoſals of Peace with France.

The King's Anſwer.

The Pope notoriouſly partial to the French.

A vaſt Tax raiſed on the Clergy.

A Truce between the two Crowns.

I cannot alſo omit taking notice, that the ſame [k] Author tells us, that the Pope was now pleaſed to demand the Arrears of the Tribute of

[k] Id. col. 2617.

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The Pope demands the Arrears of his Tribute from the King.

of the Realm of *England*, being the Annuity of a thouſand Marks granted by King *John* of *England* to the Court of *Rome*, when He reſign'd his Crown to the Legate *Pandulphus*. But to this Propoſal the King returned a courageous Anſwer, *That He would never pay any Tribute to any Man whatſoever, becauſe He held his Kingdom without ſubjection to any one, but only to God*. But ſince this Relation is found in no other Author except *Knighton*, I much doubt the truth of it; for we ſhall find this very Pope to make the ſame Demand within two Years after, which it is not likely He would have done, had He received ſo reſolute a Denial at this time.

[1] Froiſ. c.173.

K. John is remov'd to Windſor *Caſtle.*

Upon this Truce the [1] *French* King had leave to remove with his Family to *Windſor* Caſtle, where He and his Son the Lord *Philip* diverted themſelves with Hunting and Hawking; but the other Priſoners continued ſtill at *London*, and they had liberty to go to Court when they pleas'd, only they gave their Paroles to be true Priſoners, and by no means to endeavour their Eſcape.

The Q. of Scots *endeavours the ranſoming of her Husband.*

David King of *Scots* having been ever ſince the Battel of *Durham* Priſoner in *England*, there had been by the earneſt Mediation of his Queen *Joan*, Siſter to King *Edward* (who had her Brother's leave to come into *England* laſt Year) ſeveral Treaties ſet on foot for the ranſoming her Husband; and near two years ſince it was ſo far advanc'd [2] by Commiſſioners on both ſides, who had met at *Newcaſtle*, that the Articles were agreed on, and reduced into Writing; the chief of which were, That King *David* ſhould be ranſomed and ſet free for ninety thouſand Marks of *Sterling* Silver, to be paid in nine Years, by equal Payments; and that during that time there ſhould be a firm and inviolable Truce between the two Kings and the Subjects of their reſpective Dominions. But this Treaty (as divers others had done before) came to nothing, becauſe the *Scots* would not conſent to all the Terms and Conditions propoſed for their King's Releaſe. Yet this Year the Treaty was again renewed with better ſucceſs, by the Interceſſion of the Cardinal Legats; for on the third of *October* [3] Commiſſioners on both ſides met at *Berwick*: On the behalf of King *Edward* were *John* Arch-Biſhop of *York*, *Thomas* Biſhop of *Dureſme*. *Gilbert* Biſhop of *Carliſle*, *Henry de Piercy*, *Ralph de Neville*, *Henry le Scrope*, and *Thomas Muſgrave*: And for the Lord *Robert Stuart* then Guardian of *Scotland*, and the Prelats, Lords and Commons of that Kingdom, *William* Biſhop of *St. Andrews*, *Thomas* Biſhop of *Cathneſs*, *Patrick* Biſhop of *Brechin* Chancellor of *Scotland*, *Patrick* Earl of *Marche*, *Robert de Irſkin* and *William de Levingſton* Knights; where it was agreed (among other matters of leſs moment) to this effect.

[2] Rot. Scot. 28 E.3. m.4.

The Articles of which being near agreed, are broke off.

[3] Rot. Scot. 31 Ed.3. m.2. dorſ.

Commiſſioners appointed to treat with thoſe of Scotland *concerning this Affair.*

The Conditions on which he was to be releas'd.

I. That King *David* ſhould be releaſed, ſet free, and ranſomed for a hundred thouſand Marks Sterling Mony, to be paid yearly by ten thouſand Marks, the firſt Payment to begin at Midſummer next following at *Berwick*, if it were then in the hands of the *Engliſh*.

II. That there ſhould be a firm Truce kept and obſerv'd in *England*, *Scotland*, and the Iſle of *Man*, until the Mony was paid; and that *Edward de Baliol* and all King *Edward*'s Allies ſhould be included in this Truce.

III. That there ſhould be a Free Trade and Intercourſe between the two Nations during the ſaid Truce.

IV. That

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IV. That none of the Subjects of both theſe Kings ſhould take Priſoners, or exact Ranſoms of any Perſon, Town or Country belonging to either of them during the ſaid Term.

V. That for the true Payment of the aboveſaid Sum, according to this Agreement, the King of *Scots* ſhould ſend hither twenty Hoſtages particularly named in this Article, being the Sons and Heirs of the Earls, and other great Men of *Scotland.*

VI. That for the better ſtrengthening and enforcing the ſaid Agreement, upon the delivery of the King of *Scots*, three of the eight Earls therein named ſhould alſo become Hoſtages for Him; and ſhould inſtantly remain in *England* till three others of the ſaid Eight ſhould come in their ſtead, and in exchange of them: And this from time to time, till the whole Sum of one hundred thouſand Marks were entirely paid; beſides which the ſaid King of *Scots*, with the Prelats and Great Men therein named, being preſent at his deliverance, ſwore and obliged themſelves by their Oaths to ſend the ſaid twenty Hoſtages therein named, without any fraud or delay; yet with liberty to exchange them for others, as there ſhould be occaſion: And that if any of them went away without leave of their Keepers, they were to be ſent back again.

VII. That if the Mony was not paid at the Terms agreed on, the King of *Scots* ſhould then return into *England*, and render Himſelf Priſoner, there to remain till all the Arrears of his ſaid Ranſom were diſcharged; but in caſe He were any ways hinder'd from coming hither, that then He ſhould ſend in his ſtead three others of the eight Earls therein mention'd (beſides the three that were here before) who were all to remain till full Payment was made as aforeſaid.

VIII. By the 8*th* Article it was agreed, that if any Caſtle or Town were taken by either of thoſe Princes Subjects during this Truce, they ſhould be immediately reſtored; and if it was not then done, the King that fail'd in the performance ſhould forfeit forty Pounds Sterling to the other for each day that ſuch Place was detain'd after demand made thereof.

IX. The 9*th* provides for the ſending freſh Hoſtages in the ſtead of thoſe that ſhould die before the King's Ranſom was paid.

X. By the 10*th* the King of *Scots*, with his Lords and Prelats and Merchants make themſelves liable to the Cenſures of the Church, on failure of Payment of the ſaid Mony, and in that caſe farther oblige themſelves to the Pope or his* *Auditor* in the Sum total above-mention'd, to be applied to the uſe of the King of *England*, beſides the Sum of ten thouſand Florins to the ſaid Chamber of the Pope: and they alſo covenant not to recall their Procurators, whom they had appointed for that purpoſe; and the ſaid King, Prelats, Lords and Merchants, do each of them acknowledg themſelves obliged as principal Debtors to pay the ſaid Sum at the Place and Time agreed on.

XI. The 11*th* being of no great moment, I omit.

XII. The 12*th* provides, that none of the People of *Scotland* ſhould either by themſelves, or any other, procure Letters from the Pope contrary to this Agreement; and that if any ſuch be granted, they ſhould not be accepted, or any ways made uſe of by them.

XIII. But in caſe the Prelats of *Scotland* ſhould be negligent, or durſt not do it, or be otherways hinder'd from putting the Pope's

Cenſure

* *That is, to the Auditor of the* Rota.

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Cenſure in execution, He then himſelf ſhould execute it.

XIV. The 14*th* I paſs by for the ſame Reaſon as before.

XV. The 15*th* provides, that if the King of *Scots* ſhould die before the full payment and diſcharge of the ſaid Sum of one hundred thouſand Marks due for his Ranſom; yet nevertheleſs all the ſaid Obligations ſhould remain in full force againſt all the Parties ſo obliged, and the Hoſtages not be diſcharged until the whole Sum be fully paid.

XVI. By the 16*th* it is mutually agreed, that the Rebels of either King ſhould not be receiv'd, maintain'd or ſupported by the other, their Miniſters or Officers.

XVII. The ſeventeenth gives the King of *England* Power by his Letters Patents to arreſt the Merchants of *Scotland* in *Flanders*, or elſewhere beyond Sea, for the payment of the aforeſaid Sum.

XVIII. The eighteenth chiefly concerns the Prince of the *Orchades*, otherwiſe called *John of the Iſles*, from being liable to have the ſaid Ranſom levied upon his Lands and Territories. But it is further there recited, that for the better aſſurance of the Matters aforeſaid, the Lords *Piercy* and *Neville* having full Power, have ſworn to theſe Alliances on behalf of the King of *England* and the Prince of *Wales* his eldeſt Son; as alſo the King of *Scots* hath ſworn on the Holy Evangeliſts truly to obſerve and accompliſh all the Points aforeſaid, without any Fraud or Deceit, and alſo to cauſe their Subjects to obſerve the ſame, to their power; and the above-mention'd Prelats and Lords of *Scotland*, have likewiſe ſworn to the ſame purpoſe as far as in them lies.

XIX. By the nineteenth it is agreed, that the ſaid King and Prince on their Parts, and the King of *Scots* on his part, ſhould confirm this Indenture by their Letters Patents under their Great Seals, and ſhould ſend them to *Berwick* by the Feaſt of St. *Martin* next enſuing, or within eight days after. In teſtimony of which, to that part of this Indenture remaining with thoſe of *England*, the Biſhops and other Commiſſioners for *Scotland* put their Seals; as did alſo the Arch-Biſhops and other Commiſſioners on behalf of the *Engliſh*, the Day and Year aboveſaid: And in perſuance thereunto, theſe Articles were not long after reduced into Letters Patents bearing date at *Weſtminſter Oct.* 5. this Year, as further appears by the Rolls of [1] *Scotland* in the Tower.

[1] Rot. Scot. 31 Ed. 1. m. 2. dorſo.

[2] Froiſ. c. 174.

The King of Scots *being diſcharged from his Impriſonment, returns home.*

This Truce [2] being now publickly proclaim'd with the uſual Ceremonies, King *David* was diſcharged from his Impriſonment at *Odiam* Caſtle in *Hampſhire*, and being honourably conducted to the Borders of his own Kingdom by ſeveral *Engliſh* Noblemen, was met at *Berwick* at *Michaelmas*, by the chief of the *Scotiſh* Nobility, who brought thither one Moiety of the King's Ranſom along with them, as alſo the Hoſtages that were to remain in *England* till the reſt of it ſhould be paid. Not long after the King's return, He [3] called a Parliament for the Puniſhment and Diſgrace of thoſe who had fled from the Battel of *Durham*; and He made his own Nephew the Lord *Robert Stuart*, the firſt Example of his Severity; and for deſerting him at that time, He cauſed that Act of Parliament to be reſcinded, whereby the Crown was entail'd upon the ſaid *Robert* and his Heirs: and then He made his other Nephew, *Alexander* Son to the Earl of *Southerland* by *Jane*

[3] H. Boeth. l. 15.

He holds a Parliament, wherein he reſcinds the Act of Entail of the Crown on the Ld R. Stuart.

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Jane his younger Siſter, to be declar'd Heir apparent of *Scotland*; but this young Lord being then a Hoſtage in *England* for the King his Uncle's Ranſom, dy'd the Year following of the Peſtilence, which then raged again in *England*; after which the Lord *Robert*, being reconciled to the King, was reſtored to his Right of Heir apparent of *Scotland*: but this did not happen till two Years after, tho I mention it here, as belonging to the Subject now before us.

In the mean while the Kingdom of *France* ſuffer'd extremely, as well by Troops of Robbers, as Civil Diſſenſions; for upon the late Defeat of the *French* King, and the Truce that followed it, [1] many Soldiers that had neither been formally disbanded, nor yet paid off as they ought to have been, thereby took occaſion to deſert in great numbers, and calling themſelves the *Companions*, marched where they pleaſed, not only pillaging the Country, but alſo taking divers Towns and Caſtles that were too weak to reſiſt them; infeſting the Roads, and robbing all they could light on: theſe being divided into five or ſix ſeveral Bodies, were led by divers Captains, who by Plunder got vaſt Riches; the Chief of whom was one *Arnauld de Cervoles*, who call'd himſelf the *Arch-Prieſt*. He muſtering up his Forces, marched to the City of *Avignon*, and there put the Pope and his Cardinals into ſuch a terrible fright, that He was forced to compound with him for the ſum of forty thouſand Crowns, to ſave the Country from being pillaged; and beſides he obliged Him to give him Abſolution, and to treat him at His own Table, with the ſame Reſpect as if he had been a Sovereign Prince.

The miſchiefs that befel France *by reaſon of the Soldiers called* Companions.

One of the Chief of them marches to Avignon, *and makes the Pope compound with him*, &c.

Near the ſame time [2] about ſix hundred Men at Arms and ſome Archers belonging to ſeveral Gariſons, both in *Bretagne* and *Gaſcoigne*, joyning together, went into *Normandy*, and revolting from the *French*, took part with *Philip* Brother to the King of *Navarre*, and quickly after ſurprized the ſtrong Town of *Honfleur*; upon which the Lord *Robert* of *Clermont* marched againſt them with eight hundred Men of Arms, and five thouſand Foot, making a briſk Aſſault upon the Town, but with ill Succeſs, for he loſt there five hundred Men; yet ſtill he endeavoured to carry the Place: but whilſt he lay there, Sir *Robert Knolles* and Sir *James Pipe*, who were the Duke of *Lancaſter*'s Lieutenants in *Normandy*, came ſuddenly upon the *Frenchmen*'s backs, and with the ſlaughter of a thouſand more of them, put the Marſhal and the reſt to flight. And by the way I cannot but obſerve of this Sir *Robert Knolles* above-mention'd, that [3] *Walſingham* tells us, That he thrived ſo well in theſe Wars, that from a poor common Soldier, he arrived to the Riches of a Noble Man; and he muſt certainly have been a Man of great Courage and Conduct, being afterwards employ'd by the King in his Wars, and within a few Years after by the King and the Prince his Son, in the moſt Conſiderable Commands both at home and abroad. Not long after this, [4] the ſtrong Caſtle of *Evreux*, belonging to the King of *Navarre*, was ſurprized by the contrivance of the Sieur *de Granville*, and the aſſiſtance of ſome of the Principal Burgeſſes and Townſmen, who joyn'd in that Deſign; and killing the Governor, made the Gariſon Priſoners.

The K. of Navarre's *Brother ſurprizes* Honfleur, *which is endeavour'd to be recovered by the L. of* Clermont, *but in vain.*

The ſudden Riſe of Sir Robert Knolles.

The Caſtle of Evreux *is ſurprized.*

In the mean while, [5] the City of *Paris* was no leſs diſtracted with Inteſtine Seditions; for the Provoſt of the Merchants pretending to make wonderful Reformations, aſſembled a great number of the com-

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[1] Froiſ. c. 177. Mezeray ad hunc An.

[2] H. K. col. 2616.

[3] Ad An. 1358.

[4] Froiſ. c. 176.

[5] Mezeray ad hunc An.

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The City of Paris *diſturbed by the Inteſtine Seditions of the Common People.*

The Provoſt de Marchands *and his followers murder three of the* Dauphin's *Confidents.*

He changes Caps with the Dauphin.

mon People at *Paris*, to whom he gave party-coloured Caps, half red and half Sky-colour, for a diſtinction of his Party; and then with about three thouſand of them, he marched to the *Dauphin*'s Palace, where complaining of the evil Government of the Eſtates and Nobility, he deſired him to take the Regency, and to defend the Kingdom againſt the Incurſions of the *Companions*; but whilſt he made ſome difficulty to do it, the Provoſt and his Followers fell upon the Perſons of the *Sieurs de Conſtants* and *de Clermont*, with *Simon de Bucey* Preſident of Parliament, three of the *Dauphin*'s greateſt Confidents, and murther'd them before his Face, ſo that the Blood guſhed out upon his Clothes; at which Action this Prince being very much frightned (as well He might) the Provoſt to comfort Him, bid Him not be afraid, for they had only puniſhed theſe Men for converting the Revenues of the Crown to their own uſe, as alſo for giving Him ill Advice, to the prejudice of the People. And then to let Him ſee, that He muſt become a perfect Citizen, if He would expect their Favour, he made Him wear their Livery, and clapping his own party-coloured Cap upon the *Dauphin*'s Head, took His (being embroider'd with Gold) and put it upon his Own, and ſo abruptly taking his Leave, left the *Dauphin*'s preſence, who tho ſufficiently mortified with this Affront, was alſo forced to pardon the Citizens for thus diſpatching his moſt truſty Servants.

The K. of Navarre *reſcued from his Impriſonment.*

The Dauphin *forced to grant him Safe-conduct to come to* Paris, *where he harangues the People.*

The effect of his Speech.

Not long after this, [1] the King of *Navarre* was reſcued from his Priſon in the Caſtle of *Arleux* in *Picardy*, by the contrivance of ſome of his People, and by the conſent of the Lord of *Picquigny*, to whoſe care King *John* had committed the Cuſtody of that Prince: The *Dauphin* [2] was highly ſurpriz'd at his Eſcape, fearing nothing ſo much as his Reſentment for the Death of his Friends, and ſo long an Impriſonment; nevertheleſs being prevail'd on by the Importunities of the Council of State, and the Interceſſion of the two Queen Dowagers, the *Dauphin* was forced to grant him his Safe-Conduct to come to *Paris*, where he was lodged at the Abby of St. *Germain des Prez* without the City. Then ſome Days after, toward the end of *November*, He gave publick notice that he would make an Harangue to the People in the place of the *Liſts*, which lay between the Abby of St. *Germans* and *Le Pré aux Clercs*; where a vaſt multitude being aſſembled to hear Him, He mounted [3] the Scaffold from whence the King uſed to behold the Tourneaments, and from thence made a Pathetick Speech to the Prelats, Knights and Students of the Univerſity in *Latin*, ſetting forth, with that Eloquence he was Maſter of, the Injuſtice of his Impriſonment, and the Tyrannical Execution of his Friends, together with the Zeal He had ſtill expreſs'd for the Publick good of the Kingdom; but above all his particular affection to *Paris*, the Capital City thereof. This flattering Speech had the greater effect upon the People, becauſe they were ſenſible He had been treated with too much Rigour; and the next day He was receiv'd into the City with great Rejoycing: whereupon the Council of State, the Provoſt of the Merchants, and the Univerſity it ſelf, all joyned in their Importunities to the *Dauphin* to make Him ſatisfaction for the Injuries that had been done Him; which that Prince was forced to agree to. But when the King would have reenter'd thoſe Places that had been taken from Him, thoſe that held them for the King of *France*, refuſed to deliver them; which together

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[1] Id. c. 180.

[2] Mezeray ib.

[3] Froiſ. c. 181.

ther with ſome new Diſcontents, gave an occaſion to break out into an open War the Year following. I have been the more particular in the Relations of the Troubles of *France*, not only becauſe they are very extraordinary, but alſo to ſatisfy thoſe Readers, who perhaps giving too much credit to a Modern * *French* Author, may believe that *England* (and particularly *London*) had been the greateſt, if not the only Scene of popular Tumults and Commotions.

Anno Dom. MCCCLVII.

* Pere D'Orleans *Revolutions* d'Angleterre.

In the beginning of this Year, [1] King *Edward* iſſued forth his Royal Proclamation throughout *England*, That all Foreign Knights and Gentlemen from any part of the World, who had deſire to come to the Feaſt of St. *George*, to be ſolemnly held by Him on the twenty third of *April* at *Windſor*, ſhould have his Letters of Safe-Conduct to paſs in and out of the Realm at their pleaſure for the ſpace of three Weeks, without the leaſt Impediment or Danger, there to partake of thoſe Martial Honors and Prizes, which ſhould attend the Exerciſes of thoſe Solemn Juſtings and Tourneaments, that He then intended to celebrate; ſo that preſently after, there came over into *England* the Duke of *Brabant*, with many great Lords and Knights of *Germany*, *Flanders*, *France* and *Scotland*; the Queen of which Kingdom came alſo into *England*, to viſit her Brother, and to be a ſpectatrix of theſe Martial Entertainments, which were ſaid to be made to ſet forth the King's Grandeur, as alſo to divert the Captive King of *France*, who yet ſeemed not much tranſported with theſe Shews, the Expence of which He thought muſt chiefly be defray'd by his Ranſom; wherefore [2] He ſaid merrily, *That He never ſaw ſuch Great Entertainments without an after Reckoning.* But the Charge was at preſent born by the Subjects of *England*; * for the King not long after ſet forth a Proclamation, whereby He ſummoned all thoſe who poſſeſſed Lands or Rents to the value of forty Pounds *per Annum*, to appear before Him, there to receive the Order of Knighthood; and by the Fines which moſt Perſons refuſing to accept that Dignity then pay'd, He raiſed a great ſum of Mony.

Anno Dom. MCCCLVIII.

[1] H. K. col. 2616, 2617. Mat. Villani L. 8. c. 47.

K. Edward *proclaims a Solemn Tourneament at* Windſor.

The Q. of Scots *comes into* England *to viſit her Brother the King.*

[2] MS. C. Ben. c. 230.

* Rot. Parl. 32 E. 3. Part. 2. m. 25.

The K. ſummons all that held Lands to 40 *l.* per An. *to be made Knights.*

So ſoon as theſe Solemnities were over, [3] King *Edward* removed his Court to *London*, and there began to treat ſeriouſly with King *John* about a firm and laſting Peace, which was generally hoped for, yet it was long before matters could be brought to any tolerable iſſue: [4] for King *Edward* required Homage of that King for the Realm of *France*, as holding it of Him, whoſe Right it was; and upon this Condition He profer'd him his Liberty, and a perpetual Friendſhip: but this King *John*, having not loſt his Courage by Adverſity, utterly refuſed, ſaying, He would leave the Kingdom of *France* as free to his Children, as He had receiv'd it from his Father; and that as to Himſelf, He ſhould always prefer the Preſervation of *France* before his own Life. This Generous Magnanimity in a Captive Prince, gave King *Edward* occaſion not only to commiſerate his Calamity, but alſo more tenderly to reſpect and honor Him, as a Perſon worthy of a better Fortune: ſo that at laſt, eſpecially by the Interceſſion of the Prince of *Wales*, who was reſolved to made good the Promiſe that He had made to him the Night after he was taken Priſoner, it was agreed, That upon the *French* King's Releaſe, [5] ſeveral Countries and Territories (ſome of which were already in the *Engliſh* poſſeſſiſion) ſhould be given up to King *Edward*, free from any Homage or other

[3] H. K. Col. 2618.

He treats with K. John *about a Peace.*

[4] Du Serres ad hunc An.

The great difficulties that aroſe in this Treaty.

At laſt they agree upon equal Conditions

[5] Mat. Vil. L. 8. c. 51.

Anno Dom. MCCCLVIII.

Duty to be done for them, and He ſhould thereupon for ever renounce his Claim and Title to the Crown of *France*. But King *John* was alſo to pay the King of *England* for his Ranſom three millions of Crowns of Gold, which amount to Five hundred thouſand Pounds *Sterling*; a vaſt ſum in thoſe days.

But ſince theſe Articles did not then take effect, I ſhall refer the further mention of them to another Place, and here only take notice, that theſe (or much the like) were the next Year ſent over to the *Dauphin*, to be communicated to the Eſtates of the Kingdom; and what reception they then met with, you will find hereafter.

The various repreſentations of theſe matters by Writers of different Parties.

In the mean while the Agreement between the two Kings was eſtabliſhed by Oaths interchangeably made, and with their mutual kiſſing each other: yet for all this on one ſide or other, Sincerity was ſuppoſed to be wanting; the Writers of theſe Times repreſenting thoſe matters according to their particular Intereſt or Inclinations; [1] ſuch as favour the *French* lay the blame upon King *Edward*, as that He fomented the Commotions in *France*, and that He might put the breach of the late Agreement upon the *French*, hinder'd them from raiſing of the Mony for their King's Ranſom; and that He ſecretly aſſiſted the King of *Navarre* with Men, to enable Him the more to embroil that Kingdom, that He might at laſt ſubdue it for Himſelf.

But theſe Relations ſeem to be the effects of Malice or Miſtake; for as to any ſtopping or hindrance of the raiſing of the Mony, [2] *Knighton* tells us, That ſoon after the Departure of the Cardinals out of *England*, there came certain Perſons from *France* with Twelve hundred thouſand Crowns (tho I ſuppoſe it ſhould be but ſixty thouſand) in part of Payment for their King's Ranſom; but King *Edward* refuſed the Mony, becauſe they had not brought the Hoſtages with them for the reſt, as it had been agreed on. But they in their Defence anſwered, that a great part of *France* was ravaged by the *Engliſh*, contrary to the Form of the Agreement, ſo that the People of *France* durſt not go to their own Houſes. To this the King reply'd, That ſuch *Engliſhmen* who made War in *France* after the Agreement made, were Outlaws and Robbers, out of his Protection, nor would He juſtify them; but that He was not in the fault, appears by the *Dauphin* and the Eſtates of *France*, refuſing to perform the Terms which their King had now agreed to, as you will find hereafter.

The ſad condition of France by the riſing of the Peaſants in Arms.

We ſhall now look into *France*, and obſerve the ſad condition of that Kingdom; [3] for about this time the Common People or Peaſants, having been cruelly uſed and pillaged by the *Nobleſſe* or Gentry, and reduced to Beggary and Deſpair, took what Arms they could light on, and gathering together in great Companies, ſwore to extirpate all the Nobility. This Fury began in *Beau-voiſin*, where the Peaſants having choſen for their Head a certain Fellow of their own Condition, called *Cailliet*, they then named themſelves *La Jaquerie*; for the Derivation of which Nick-name, ſince the *French* Authors themſelves differ about it, I ſhall not pretend to give it you; it is ſufficient they were ſo cruel and miſchievous, that had the Towns and Cities joyn'd with theſe Levellers, there had been an end not only of the *French* Nobleſſe, but the Monarchy too; but by good fortune they ſhut their Gates againſt them, fearing to be plunder'd; and tho they ſeiz'd on *Senlis*, and ſome other weaker Towns and Caſtles, yet their endeavours upon ſtronger Places proved altogether in vain; and they now became ſo odious for their horrid and brutiſh Cruelties, that the Gentry of all the three Parties, *French*, *Engliſh* and *Navarrois*, combin'd together againſt them; and the King of *Navarre* defeated that Body of them that was headed by *Cailliet*, who being taken and crown'd with a red-hot Trivet, was then executed; and not long after the *Dauphin* cut in pieces above twenty thouſand more at ſeveral times; ſo that this Rebellion was quaſhed on the ſudden.

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[1] O. Raynold. ad hunc An. M. Vill. L. 8. c. 101.

[2] Id. ib.

[3] Froiſ. c. 182. Mezeray.

The King of Navarre *defeats a great Body of them.*

The [1] reſt of this Year was ſpent in Quarrels and Civil Wars between the *Dauphin* and the King of *Navarre*, who had again taken Arms, becauſe (as I ſaid before) his Towns and Caſtles in *Normandy* were not reſtor'd to Him, according to the late Agreement; wherefore joining with the Faction of the Provoſt of the Merchants, He was again admitted into the City of *Paris*, where He made another Speech to the People, who thereupon declar'd Him their General; which ſo provok'd the Nobleſſe, who looked upon themſelves as ſlighted, that they join'd themſelves more firmly to the *Dauphin* in order to beſiege *Paris*: but the Heads of the Faction being advertiſed of it, obliged the Univerſity to go to that Prince and intercede for them, offering any Satisfaction that He could in reaſon deſire. But this He utterly refuſed, unleſs He might have twelve of the chief Mutineers deliver'd intirely to his Mercy; whereupon they confederated more firmly than ever, and joining themſelves with the King of *Navarre*, made a vigorous Reſiſtance, and fortified the City anew againſt the *Dauphin*.

[1] Id ib.

He joins with Faction of the Provoſt de Marchands, *who make him their General.*

Whereupon the Nobleſſe join with the Dauphin.

But [2] He ſoon found means to break this good Correſpondence, for ſome of his Party within the Town raiſed Jealouſies in their Heads againſt the King of *Navarre*, becauſe He retain'd ſo many *Engliſh* in his Pay; whereupon the ordinary Townſmen riſing on the ſudden, kill'd above three hundred of them; but *Marcel*, the Provoſt of the Merchants, being wholly of the King of *Navarre*'s Faction, reſcued the reſt under pretence of putting them in Priſon, and then let them eſcape in the Night, who getting to the reſt of their Countrymen that were then quarter'd at *St. Denis*, reveng'd their Deaths upon all the *Pariſians* they could meet with; who being highly provok'd at this, conſtrain'd the King of *Navarre* and the Provoſt to lead them out of Town to be reveng'd on the *Engliſh*. But they having notice of their coming (whether by Treachery of their Chiefs, or otherwiſe, I cannot determin) laid an Ambuſh for them, into which the Citizens falling, above ſix hundred of them were kill'd upon the ſpot, which ſo enrag'd the reſt, that they put the King out of all Command, and would not admit Him again into the City; and as for their Provoſt, they had been in that ſuſpicion, that upon his going about to let in that Prince and his *Engliſh* Soldiers into the City, he was taken in the Act, and being quickly diſpatch'd by ſome of the *Dauphin*'s Party, his Body was drawn by the Heels about the Streets, and after the Execution of ſeveral others his Accomplices, the *Dauphin* was again admitted into the City, and own'd as Regent of the Kingdom.

[2] Id. ib.

The ordinary People of Paris *kill* 300 Engliſh.

Whereupon the reſt revenge their Deaths on all the Pariſians *they could meet.*

The King of Navarre *is ſhut out of the City, and the Provoſt* de Marchands *murder'd.*

When the King of *Navarre* heard of the [3] Death of his Friend the Provoſt of the Merchants, He was very much incens'd at it, and being reſolv'd to revenge it, He ſent to defy the *Dauphin* and all the *Pariſians*;

[3] Froiſ. c. 187.

Anno Dom. MCCCLVIII.

The King of Navarre *renews the War afreſh againſt the* Dauphin *with various Succeſs.*

[1] Id. c. 189, 191.

[2] Id. c. 197.

[3] Id. c. 198.

The French *Cardinals imploy their Mediation to make Peace.*

Philip *that King's Brother refuſes to be included in this Peace, and joins with the* Engliſh.

ſians; and raiſing freſh Forces, He renewed the War more hotly than ever, beſieging and taking many Towns: But his Party met with various Succeſs, for tho they were defeated in the Biſhoprick of *Laon*, and loſt the Town of *St. Valery*, and were alſo [1] diſappointed in ſeizing *Amiens*, *Chalons*, and other Places; yet were they ſtill ſo powerful, that being poſſeſs'd of a great many ſtrong Towns and Caſtles in *Brie*, *Champagne*, and other Provinces, [2] tho the *Dauphin* ſent the Conſtable *de Fiennes*, the Earl of *St. Paul*, the Marſhal *d' Endreghen*, and divers other *French* Noblemen, with a Body of three thouſand Men, to beſiege *Melun* (which lying upon the River *Seine*, very much ſtraiten'd the City of *Paris*) yet upon Prince *Philip* the King's Brother's bringing freſh Forces to raiſe the Siege, the *Dauphin* ſent more to reinforce his own, that were there already; but before the two Armies could meet and come to blows, the [3] Cardinals of *Perigort* and *St. Vitalis* ſo well imploy'd their Mediation between the Regent and the King of *Navarre*, that they were, tho with great difficulty, once more reconciled, upon condition that the *Dauphin* ſhould pardon above three hundred Perſons of Quality of his Party, unleſs it were ſome few who were particularly excepted; by which Treaty of Peace divers Caſtles and Towns, as eſpecially *Mante* and *Melun*, were to remain to the King of *Navarre*, who thereupon ſwore to the Peace, and to continue firm to the *French* Intereſt. Yet notwithſtanding theſe advantageous Terms, *Philip* the King's Brother refuſed to be included in this Treaty, plainly telling Him He was under an Incantation; and preſently leaving his Party, rode away to *St. Saveur le Vicount*, where he was kindly received by the Governor, who highly applauded his Conſtancy to the *Engliſh* Intereſt. The *French* Hiſtorians relate this ſudden change of the King of *Navarre*'s Mind, as a particular Favour of Heaven at that time; but I ſuppoſe there was no greater Myſtery in the matter, than that finding He was not like to have any aſſiſtance from K. *Edward* (who was jealous of his Pretenſions to the Crown of *France*) and that he was offer'd good Conditions from the Dauphin, he thought it beſt to accept them.

[4] Mezeray ib.

Divers of the K. of Navarre's *Gariſons declare for the* Engliſh.

[5] T. W.

He is call'd by Froiſſart *and other* French *Writers* Robert Canulles.

Sir R. Knolle's *makes an Incurſion into* Berry.

But tho this Peace gave ſome eaſe to *Paris*, [4] yet it yielded very little Relief to the neighbouring Provinces; for the Gariſons of thoſe Places that had held them before for the King of *Navarre*, to the end that they might continue their Plundering, declar'd themſelves for the *Engliſh*. Thus the Lord *d' Ambreticourt* and *Heynalder* ravaged *Champagne*, by the means of divers Caſtles which he was poſſeſs'd of on the Rivers of *Marne* and *Seine*, until *Broquard de Feneſtrage*, a Knight of *Lorrain*, who then ſerv'd the *French*, commanding a ſtrong Party, defeated and took that Lord Priſoner in a great Fight near *Nogent ſur Seine*, and thereby freed the adjacent Country; tho it had no great effect, becauſe there were ſo many more left of the ſame Trade, among the chief of whom we may reckon [5] Sir *Robert Knolles*, who from a common Soldier (as I ſaid before) had by his Valor raiſed himſelf to great Riches and Reputation, and about this time made an Expedition from the Borders of *Bretagne* with a ſmall Army of three thouſand Men; and marching along by the River *Loire* till he came into *Berry*, he paſs'd on burning and ravaging the Country: So that long after in memory of Him, the ſharp Points and Gable-ends of overthrown Houſes and Churches were call'd *Knolles*'s Miters. But before his Paſſage into *Berry*, he burnt and plunder'd the Suburbs of *Orleans* on the *Loire*, none daring to come forth of the City againſt him; and his Name was ſo terrible at that time, that he had viſited *Avignon*, and made even the Pope and Cardinals redeem themſelves, had he not received Intelligence, that divers Noblemen of *France* had raiſed a powerful Force againſt him, from whom he and his Party retired in time into the Marches of *Bretagne*, from whence he ſet out.

Let us now return to the Affairs of *England*, and here we ſhall find as much Peace and Tranquillity as there were Wars and Commotions in *France*; for [1] the King of *Scots* by the Conſent of his Nobility came hither about *All-hollantide* to give King *Edward* a Viſit, and He offer'd to accompany him whither He pleas'd in his Wars, provided his Kingdom might be eas'd in ſome meaſure of the great Ranſom which had been ſet upon Him by the King: He alſo deſired a free Trade between the Merchants of both Nations, and that the *Scotiſh* Scholars might come ſafely to ſtudy in our Univerſities. Moſt of which Requeſts being but reaſonable, K. *Edward* granted; but as for his Service in the Wars, He ſaid, *He hoped there would be no occaſion of making any farther War in* France, *there being now great hopes of Peace between the two Nations.* Yet King *David* continued ſeveral Months in *England* together with his Queen, and during his ſtay here, there were divers amicable Viſits made between Him and his Brother of *France*; ſo that K. *Edward* kept his *Chriſtmas* with them both at *London*, where at a great Entertainment made on purpoſe, He ſat between the two Kings at one Table; but not, as [2] one of the *Scotiſh* Hiſtorians relate, as Captives, in a vain oſtentation of his good Fortune; for it appears by our Hiſtories as well as Records, theſe two Kings were never Captives together in *England* at any one *Chriſtmas*; King *John* being brought Priſoner into *England* in *May*, and King *David* was releaſed the *September* following: Nor was it any mark of Arrogance in King *Edward* kindly to invite both theſe Princes (one of whom was his Brother-in-law, and the other his near Kinſman) to an Entertainment at this Solemnity: and He might very well ſit in the middle between them, tho the moſt honourable Place, not only to avoid any Competition about Precedency, but as taking Himſelf for true King of *France*, and *David* of *Scotland* as a Homager to *England*; nor do we find theſe Princes took it ill at his hands, ſince they ever after continued to expreſs a great Kindneſs and Reſpect for Him, as long as they lived. This Paſſage properly belongs to the next Year (according to our Account) tho to continue our Relation of theſe Affairs without interruption, I have put it under this.

I ſhall conclude this Year with the Deceaſes of two Queens: [3] *Iſabelle*, Queen Mother of *England*, Daughter to *Philip* the Fair, King of *France*, who departed this Life on the twenty ſeventh of *November*, in her ſixty third Year, after almoſt twenty eight Years Confinement at the Caſtle of *Riſings* near *London*, as having been ſuppos'd to be privy to the Death of the King her Husband. Her Body was buried in the Choir of the *Grey Friars*, now called *Chriſt-Church* in *London*, leaving the Character of a Princeſs of greater Beauty than Vertue, tho ſhe was not ſo bad, nor came to ſuch an ill end, as a

Flemiſh

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[1] H. K. Col. 2619.

The K. of Scots *comes into* England *to viſit* K. Edward, *with the Offers made by him.*

[2] Leſley de Reb. Geſt. Scot. p. 245.

Bp Leſley's *Miſtake concerning* K. Edward's *dining with the two Kings as his Captives.*

[3] H. K. Col. 2618.

The Deceaſe of Iſabelle *the King's Mother, with her Character.*

Anno Dom. MCCCLVIII.

[1] Meier. Annal. l. 12. p. 152.

The Miſtake of Meierus *as to her Death.*

[1] *Flemiſh* Hiſtorian ſalſly relates, as that the King her Son finding Her to be great with Child by *Mortimer*, cauſed Her to be put to death many Years before; when all our Hiſtorians with one conſent agree, that ſhe died a natural Death about the end of this Year: but her Marriage with *Edward* King of *England*, as it proved fatal to her Husband, ſo her having by Him a Son, the preſent King, proved as unfortunate to her Country, ſince He thereby derived his Claim to the Crown of *France*; from whence commenc'd ſo cruel and laſting a War between the two Kingdoms, as was not extinct for near a hundred Years after.

[2] Sandford Gen. Hiſt. p. 155.

The Deceaſe of Joan *Queen of* Scots, *with her Character.*

[3] Id ib.

Not long after [2] deceaſed her eldeſt Daughter *Joan*, Queen of *Scots*, during her ſtay here with her Husband; but for all ſhe had no Iſſue, yet her Memory remains as a ſhining Example of Conjugal Affection above the common rate of Princes: She was married to Him very young, but however ſtill expreſſed that tender Affection for Him, that ſhe would ſcarce ever forſake him during his long Exile in *France*, nor yet near his eleven Years Impriſonment in *England*. [3] She was buried in the ſame Church with the Queen her Mother.

[4] T. W.

The Controverſy between the two Univerſities and the Mendicant Friers determin'd by the Pope.

As for Eccleſiaſtical Affairs, I cannot but take notice, how that this Year [4] that great Controverſy between the Clergy and the two Univerſities of *England*, and the four Orders of *Mendicant* Friers, was ſolemnly debated before the Pope by *Richard Fitz-Ralph* Arch-Biſhop of *Armagh*, and Primate of *Ireland*, and repreſented as a great Prejudice to all the ſecular Clergy; for the Friers truſting to their Privileges, not only inſinuated themſelves into the Houſes of dying men, but alſo enticed away young Scholars from the Univerſities and publick Schools; ſo that many Perſons forbore ſending their Sons to either of theſe Places, for fear they ſhould be inveigled away by ſome of thoſe Orders, where they were bred up in great Ignorance, Lazineſs, and Superſtition. But notwithſtanding all the Remonſtrances of this worthy Prelate, theſe Orders all joining together, ſo prevail'd by their joint Purſes, that the Pope, inſtead of reſtraining or ſuppreſſing them, further enlarg'd and confirm'd their Privileges.

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[5] Froiſ. c. 201.

Agreement betwixt the two Kings confirm'd.

[6] Du Cheſne p. 681.

The late [5] Agreement between the Kings of *England* and *France* was now again renewed and more ſolemnly confirm'd at a new Treaty held at *London* between King *Edward* with his Son the Black Prince, and King *John* with the Lord *James* of *Bourbon*, about the beginning of this Year. The Conditions were theſe:

I. That [6] *Aquitain* ſhould remain intirely to King *Edward* and his Heirs for ever, together with *Gaſcoigne*, *Poictou*, *Touraine*, *Santogne*, *Perigort*, *Quercy*, *Limoſin*, *Angouleſmois*, *Calais*, *Guiſnes*, *Boulonis*, and the Earldom of *Ponthieu*, without any Reſort, Homage, or Tribute to be paid therefore, even as abſolutely as He held his Kingdom of *England*.

II. That King *John* ſhould pay four Millions of Crowns of Gold for the Ranſom of Himſelf, and the other *French* Lords, Priſoners in *England*; that is to ſay, three Millions for Himſelf, and a fourth for his Lords.

III. In conſideration of all which, King *Edward* was to give up and wholly remit all his Right in and to the Dutchy of *Normandy*, *Anjou* and *Maine*; and to renounce and lay aſide the Claim He had to that Crown; and never after take upon him the Stile, Quality or Title of King of *France.*

This [0] Agreement was ſign'd and ſealed by both the Kings on the twenty fourth of *March*, and a Copy thereof ſent into *France* by the Lord *James* of *Bourbon*, and the Lord *Arnold d' Endreghen*, which latter was ſtill a Priſoner, but had now obtain'd leave to go over upon his Parole to ſollicit his Ranſom, and to carry the above-recited Articles; [1] with which theſe Lords immediately went to *Paris*, and deliver'd them to the *Dauphin* and the King of *Navarre*, who was now again reconcil'd to him, and engag'd in the *French* Intereſt; and this Prince's Opinion was, that the Eſtates of the Kingdom ought to be conſulted in ſo weighty an Affair. Theſe being preſently aſſembl'd, ſoon agreed in their Reſolution, that the Terms propos'd were too hard and grievous to be born or aſſented to; with whom the *Dauphin* and the King of *Navarre* alſo concurring, they return'd their final Anſwer by the ſame Lords that brought them, That the Articles above-mention'd were ſo highly prejudicial to them and their Country, that they had much rather endure far greater Miſeries than they had already done, than ever ſuffer ſo conſiderable a Loſs and Detriment to the Realm of *France*; and that they could not either in Honour or Conſcience deſire the Liberty of their King, when it could not be effected without enſlaving the Kingdom.

Theſe Articles are ſent to the Dauphin *and* K. *of* Navarre, *who thereupon call an Aſſembly of the Eſtates.*

Upon [2] the return of theſe Meſſengers, not only King *Edward*, but the *French* King was very much concern'd at theſe Proceedings; and highly blaming his Son's and the Eſtates unkindneſs to Him, plainly told King *Edward*, that He fear'd there was no way to conquer this obſtinacy of his Subjects, but by Arms; only He bewail'd his own Misfortune, who had no way left to regain his Liberty, but by the Succeſs of his Conqueror: And King *Edward* Himſelf being much incens'd at this Treatment, openly proteſted, that He would before the end of Winter enter *France* with a powerful Army, and ſtay there till He ſhould put an end to the War either by his Arms, or elſe by making an honourable Peace. Whereupon He again ſent over to the *Dauphin*, bidding Him look to Himſelf; for as ſoon as the Truce was ended, He would give Him a Viſit at *Paris*, to ſee how able He was for a War, which Himſelf had thus pulled upon his own Head. At which time He made greater Preparations than ever He did before; about which we ſhall now leave Him imploy'd for a while, and relate what was done in the mean time in *France*, where the War being ſtill carried on by the *Companions* as hotly as ever, one of the chiefeſt of whoſe Leaders was the ſame Sir *Robert Knolles* abovemention'd, that had even during the Truce in the former Year, as alſo in this, poſſeſs'd himſelf of a great many ſtrong Places in *Bretagne* and *Normandy*; for which fearing he ſhould be call'd to a ſevere account by the King, he had no way to make his Peace, but by the mediation of ſome Friends at Court; when about the time the Truce expir'd, [3] he offer'd the King to ſurrender up all he had got, both Towns, Caſtles, and other Booties, into his hands, without any Conditions: By which frank and handſom Submiſſion he ſo much gain'd his Favour, that He not only pardon'd him, but alſo made him a Grant of divers Caſtles and Lordſhips, in conſideration

K. Edward *and the* Fr. *King both diſpleas'd that theſe Articles are not accepted.*

K. Edward*'s Meſſage to the* Dauphin.

The Actions of Sir R. Knolles.

He is pardon'd by the King.

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[0] Id. ib.

[1] Froiſ. ib.

[2] Id. ibid.

[3] H. K. Col. 2619.

of his great Valour and Abilities, as alſo that he had caſt himſelf entirely upon the King's Goodneſs. And tho Sir *Robert* was about *Michaelmas* following taken Priſoner by the *French*, yet he was ſoon after reſcu'd by his Friend *Hanekin Francois*, who came that way by chance.

[1] Froiſ. c. 196. *The Actions of Sir* Peter Audley, *and his Deceaſe.*
[2] Id. c. 202.

Beſides him I may alſo mention [1] Sir *Peter Audley*, Governor of the Caſtle of *Beaufort* in *Champaigne*, who had lately like to have ſurprized the City of *Chalons* in *Burgundy*, and did a great deal of miſchief to the *French* in thoſe Parts, till at laſt he [2] died in his Bed this Year. After whoſe Deceaſe the *Engliſh*-men and *Almains* thereabouts (who now continued the War in King *Edward*'s Name) reſolved to make choice of Sir [3] *Euſtace d'Ambreticourt*, a valiant young *Heynalder*, for their Captain, that had many Caſtles and ſtrong Places under his Command, but was lately taken Priſoner in a Fight, and a great many of his Men kill'd by Sir *Broquard de Feneſtrages*, a Knight of *Lorain*, who commanded in thoſe Parts under the *Dauphin*. Then Sir *Euſtace*, being ranſomed by the joint Contribution of the *Engliſh* Gariſons in thoſe Parts, who deſired him for their Commander, did not long afterwards a great deal of miſchief to the *French*, by taking many of their Towns, as you will find the next Year. Thus was *France* cruelly afflicted, not only by the War between the two Kings, but alſo during the Truce, when they ſuffer'd almoſt as much as if the War had ſtill continued.

[3] Id. c. 199. *The* Engliſh *and* Germans *make choice of Sir* Euſtace d'Ambreticourt *for their Commander.*

[4] H. K. Col. 2620. *The* Flemings *declare for the* French.

But in *Flanders* the *French* Affairs met with ſome better Succeſs; [4] for the Common People of thoſe Parts were ſo far prevail'd upon by their Earl *Lewis*, that declaring abſolutely for the *French*, they expel'd the *Engliſh* Merchants into *Brabant*; and thoſe Citizens of *Bruges* who ſtood firm to the *Engliſh*, were either impriſon'd or put to death by the Earl's Command. At which Proceedings King *Edward* was ſo provok'd, that He iſſued out a Proclamation, commanding all *Flemings* to depart the Realm by the latter end of *July* next enſuing: And then at the expiration of the Truce, the *French* were alſo warn'd to depart the Kingdom.

[5] T. W. John *of* Gaunt *marries the D. of* Lancaſter's *Daughter.*

Nothing elſe happen'd worth the noting this Summer, but [5] that the Lord *John* of *Gaunt*, Earl of *Richmond*, the King's third Son, being now in the nineteenth Year of his Age, by virtue of a ſpecial Diſpenſation from the Pope, married the Lady *Blanche* his Couſin, ſecond Daughter to *Henry* Duke of *Lancaſter*; the Marriage Feaſt being kept at *Reading* in *Berkſhire* with great Pomp. And I muſt here obſerve, that after the Death of her Father, and her elder Siſter without Iſſue, this Earl *John* was in her Right created by the King his Father Duke of *Lancaſter*.

[6] Froiſ. c. 205. *A great many Men of Quality come to* Calais *to ſerve the King as Voluntiers.*

King *Edward* [6] ſpent the reſt of this Summer in making vaſt Preparations for his Voyage into *France*, upon the News of which a great number of Lords, Knights, and other Voluntiers of Quality came to *Calais*, expecting the King's coming over, who not arriving ſo ſoon as they look'd for (for his Preparations requir'd a great deal of time) they ſtaid there ſo long till moſt of them had ſpent all they had; which the King hearing of, and fearing they ſhould return home and deſert Him, ſent over the Duke of *Lancaſter* with four hundred Men at Arms and two thouſand Archers, to lead them forth into the *French* Territories. So ſoon as the Duke could get over to *Calais*,

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he preſently perform'd what he was ſent about, and marching towards *St. Omers*, paſſed it by, and advancing about ſixteen Leagues farther, paſſed the *Somme*; but aſſaulted the Town of *Bray* upon that River, and there receiving a Repulſe with the loſs of Sir *Thomas Murrers* a Banneret, and others, he roſe from thence, and went on further upon the ſame Stream, till he came to *Cerecey*, which having taken without any great difficulty, and there refreſh'd his men who were in great want of Proviſions, he repaſſed the River again at the ſame Place as he had done before, and upon the News of King *Edward*'s arrival returned back towards *Calais* about the beginning of *November*.

The D. of Lancaſter *arrives there with ſome Forces, and marches into the* French *Territories.*

But we ſhall now look back into *England*, and ſee what the King did there before his going over into *France*, and renewal of the War; in order to which [1] He gave command, that the *French* Priſoners ſhould be kept in divers ſtrong Caſtles, and King *John* and his Son be confin'd to the Tower of *London*, and not allow'd that Liberty they had before enjoy'd; of which ſome of our Hiſtorians give this Reaſon, that it was for fear leſt King *John*, if kept near the Sea-Coaſt, ſhould be reſcued by a *French* Fleet and Army, which they then threaten'd to ſet out: And this I look upon as a more likely Reaſon of this Procedure than what [2] *H. Knighton* relates, that He was uſed with this Severity, becauſe of his Inſincerity and Double-dealing with King *Edward*: For this Author tells us particularly, that when the *Engliſh* Ambaſſadors were returning from *Avignon*, having compleated the Buſineſs they went about, 'twas diſcover'd that King *John*, contrary to his Oath, had ſent Letters into *France*, importing, that whatſoever He had agreed to with King *Edward*, was only for convenience-ſake, in the preſent circumſtance of his Affairs; but it was never his Intention to part with one foot of the Land in *France* to the King of *England*: and the Bearer thereof was taken at Sea, and upon ſearch theſe Letters were found about him, ſealed with King *John*'s Privy Seal; and that upon this double-dealing, King *Edward* thought fit to confine Him more cloſely. But it does not ſeem at all agreeable to the *French* King's Character of a Man of Honour, to be guilty of ſo mean a Treachery; neither does any other Writer report this Action, except this Author: Yet the reſt of his Account may be true (tho wrong plac'd in point of time) that King *Edward* thought fit to commit that King to the Cuſtody of the Lord *Deincourt* at [3] *Somerton*-Caſtle; whereas He was indeed firſt ſecured in the Caſtle of *Hereford*, under the Cuſtody of the Lord *Roger Beauchamp*, from whence He was the Year following again removed to the Tower of *London*; in all which Removals his Son Prince *Philip* ſtill accompanied Him.

K. John *and the reſt of the* French *Priſoners more cloſely confined.*

King *Edward* having put *England* in a good Poſture of Defence, He [4] appointed his youngeſt Son, the Lord *Thomas* of *Woodſtock*, tho then ſcarce five years of age, his Lieutenant or Guardian of *England* during his Abſence in *France*, with divers of the wiſeſt Prelats and Peers of *England* to govern under his Name; and then He went to *Sandwich*, where taking Shipping with all his Forces, [5] He paſſed over, and landed the ſame Evening (being the twenty eighth of *October*) at *Calais*; and then it was preſently concluded in a Council of War, that letting *Flanders* alone for the preſent, the King ſhould march further into *France* with all his Army, to bring

The King appoints his youngeſt Son his Lieutenant during his Abſence, and then takes ſhipping for Calais.

[1] Id. c. 206.

[2] Col. 2619.

[3] Rot. Clauſ. 33 E. 3. m. 21. dorſ.

[4] T. W.

[5] Rot. Clauſ. 33 Ed. 3. m. 9. Dorſ.

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bring that Kingdom to accept thoſe reaſonable Terms, which had been already offer'd.

[1] Mezeray ad hunc An. Froiſ. c.207. *He leaves* Calais *with an Army of above* 100000 *men.*

Then [1] K. *Edward* having muſter'd his Army, which was very great, conſiſting in all of above a hundred thouſand Men, marched from *Calais* upon the *4th* of *November*, being accompany'd with the Prince his eldeſt Son, the Lord *Lionel* his 2*d* Son, with their two Brothers, *John* Earl of *Richmond*, and the Lord *Edmund* of *Langeley*; beſides whom there were alſo the chief of the Nobility of *England*, *viz.* the Earls of *Marche*, *Warwick*, *Suffolk*, *Stafford* and *Salisbury*, with others needleſs to be here recited; and of Barons the Lords *Piercy*, *Neville*, *Spencer*, *Chandois*, *Cobham*, and *Grey* of *Codonor*, with many others, whoſe Names I alſo paſs over. There were likewiſe two Biſhops who attended him, *John Sinwell* of *Lincoln*, and *John Hatfield* of *Durham*; beſides divers Noblemen of *Flanders* and *Brabant*, as Sir *Henry Eam*, and Sir *Frank van Hall*, who had been always of King *Edward*'s ſide, and now brought each of them two hundred Lances in their Retinue, with divers other foreign Noblemen. Then the King divided his Army into three ſeveral Battalions, that ſo they might be in leſs want of Proviſions and Forage; the firſt whereof He led Himſelf, the ſecond was commanded by his Son the Prince, and the third by the Duke of *Lancaſter*, who in his return met the King between *Calais* and the Abby of *Liques*. In this Order the Army paſſing by the City of *Arras*, marched thro *Artois*, where they found the Country wholly deſtroy'd by the continual Wars, and that little Proviſion which was left, carried into the wall'd Towns; ſo that had not the King brought all ſorts of Victuals along with Him, his Men might have periſh'd for Hunger: Yet the Horſes were much put to it for want of Hay and Provender, for it being now the beginning of Winter, there was but little Graſs or other Forage left; and the Weather ſoon after the King's arrival proving very rainy, the Ways grew bad and troubleſome both to Horſe and Man; but He was reſolved to bear with patience what He could not prevent: However the King marched on by eaſy Journies, till He came into a dryer Country, as far as *Bapourne* in *Artois*, and having paſſed thro that Province, turn'd into *Cambreſis*, where finding greater plenty of Proviſions, He ſtaid ſome days to refreſh his Men; and then He marched forwards into *La Tierache*, foraging and ſpoiling the Country as He went.

He divides his his Army into three Battalions.

The King paſſes into Cambreſis, *and finds the Country wholly waſted.*

[a] Froiſ. c.210. *The Ld* Burgherſh *encounters Sir* Baldwin Danequin, *and takes him Priſoner.*

Thus they paſſed thro that Province, as well as the reſt, without taking any conſiderable Town, or meeting with any Oppoſition, [a] till the Lord *Burgherſh* marching with a Body under his command near *St. Quintin*, met Sir *Baldwin Danequin* Governor of that Place, and Commander of the *French* Croſs-bows, having likewiſe a ſtrong Party with him, there began a bloody Fight, till at laſt Sir *Baldwin* was taken Priſoner by the Lord *Burgherſh*, without any conſiderable loſs on the *Engliſh* ſide. He then return'd to the King, whom he found at the Abby of *Tenny*, and from thence He marched to the City of *Rheims* in *Champagne*, before which He immediatly ſitting down, blocked it up with all his Army. Within it were *John de Craon* Arch-Biſhop of that City, the Earl of *Porcien*, and other *French* Noblemen of thoſe Parts, to whom (as * *Villani* relates) King *Edward* ſent a Summons by his Heralds, proferring them very advantageous Conditions, if they would ſurrender that City, that

The King comes before Rheims, *and ſummons it to ſurrender.*

* Lib. 9. c.67.

He might there receive the Crown of *France*; but their Anſwer was, that they had but one lawful King, to whom they reſolved to continue faithful unto Death. But by the way, I cannot believe that King *Edward* would at this time make any ſuch Demand, ſince his coming over was not to recover the Crown of *France*, but to force the *French* Nobility to conſent to thoſe Articles that had been already agreed upon in *England* between their King and Himſelf: For what advantage could the bare Ceremony of a Coronation have given Him over thoſe, who when that had been performed, would ſtill have oppos'd his Title, and diſown'd his Authority? However this Siege continued many weeks, tho the City received no great Damage; for the King forbore to make any Aſſault upon it, either becauſe He would reſerve his Forces for ſome more conſiderable Enterprize, or out of ſome other Conſiderations, which at this diſtance of time I ſhall not take upon me to determin; ſo that He was contented with keeping it block'd up moſt part of this Winter, to wit, from the end of *November* till the beginning of *Lent*; and then finding the City was not to be taken either by Force or Famine, He thought fit to raiſe the Siege, as you will find hereafter.

What was done by the Duke of Lancaſter *during the Siege of* Rheims.

But ſince this did not fall out till the next Year, I ſhall conclude this with what was perform'd in the mean while by the Duke of *Lancaſter*, [1] who commanded a ſtrong Detachment of Horſe and Archers; and being accompany'd with the Earls of *Richmond* and *Marche*, advanced farther into the Country, to take in certain Caſtles and other Places of Strength. The firſt they came to was the ſtrong Caſtle of *Cernoy en Dormois*, to which they gave a brisk Aſſault. Here the Lord of *Mucidan*, a *Gaſcoigne* Nobleman (who was very well belov'd for his Courteſy and Courage) being kill'd with a Stone, the *Engliſh* were at that time repuls'd; yet all the Lords there preſent were ſo concern'd at his loſs, that they ſwore never to ſtir from thence till they had taken the Place; whereupon renewing the Aſſault, the *Gaſcoigners* ſcal'd the Walls, whilſt the *Engliſh* Archers ſhot ſo thick upon the Enemy, that not being able to ſtand to make any Defence, the Caſtle was taken by Storm, and the Gariſon (except two Captains) all put to the Sword.

The Caſtle of Cernoy en Dormois *taken by Aſſault.*

[2] From thence they marched two Leagues further to *Autry en Dormois*, lying on the River *Aiſne*, which was accounted ſtronger than *Cernoy*; but before they came thither the Inhabitants were fled. From thence they went back to *St. Menehou*, a Town in *Champaigne*, which upon their approach the Townſmen deſerted; whereupon the *Engliſh* General returned to the Camp before *Rheims*, and gave the King an Account of their Succeſs in this Expedition. Nothing elſe happen'd of moment all the reſt of this Year, only that about this time [3] King *Edward* received a ſmall Defeat by the taking Priſoner a Lord of *Gomegines* a *Hainalder*, and the killing and routing of his Party, thro his inconſiderate Raſhneſs in marching away before with a few men to forage, and leaving the main Body of them behind him in a Village called *Hercigny*; where after his being taken, they were all made Priſoners by the Count of *Roye* and the Lord of *Robſart*. This happen'd towards the latter end of *December*; [4] but to make ſome amends for this Loſs, the Lord *Burgherſh* went with a Detachment from before *Rheims*, and laid Siege to the Town and Caſtle of *Cormicy*, the former

The Ld of Gomegines *is taken Priſoner thro his own Raſhneſs.*

[1] Id. c. 208.

[2] H. K. col. 2621.

[3] Froiſ. ib.

[4] Id. c. 209.

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former of which was taken by ſurprize in the Night; but the latter proving too ſtrong to be won by Aſſault or Battery, the Walls being very thick, he was forc'd to imploy certain Pioneers to undermine them, which they did with ſo good Succeſs, that having dug under the chief Tower of the Caſtle, they ſupported it with Props; and being juſt ready to ſet fire to them, the Lord *Burgherſh* thought fit to give the Governor notice of it, who coming out upon ſafe Conduct, and having gone into the Mine, and ſeen the danger the Place was in, preſently ſurrender'd, upon condition that He and the Gariſon ſhould remain Priſoners; and ſo they were brought away to the Camp before *Rheims*.

Cormicy *taken by the Ld* Burgherſh.

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[1] T. W. ad hunc An.

The Siege there ſtill continuing, [1] the King kept his *Chriſtmas* before it, but without making any conſiderable Progreſs toward taking of the Place. We ſhall now ſee what the *Dauphin* and the Eſtates of *France* had been doing in the mean time for the Defence of their Country, when they had ſo powerful an Enemy in the very Bowels of it. In the firſt place, ſetting aſide all private Differences and Factions, the *Dauphin* with the Lords of his Council, gather'd a vaſt number of Men at Arms to *Paris*, and put ſtrong Gariſons into the Cities and Fortreſſes which they ſuſpected King *Edward* had an eye upon; for being warn'd by the late ill Succeſs of his Father, and the great Loſſes of his Grandfather, He reſolved no more to give the King of *England* Battel, but rather to keep Him ſhort, by removing all manner of Proviſions into the ſtrong Places; and in the mean while to act only on the defenſive, well knowing that Hunger and Delay muſt cool the Courage of the valianteſt Soldiers, and that the Treaſures of the richeſt Kings would be exhauſted by ſo tedious a War: And this wary and politick Proceeding met with better Succeſs than the more ſharp and downright Methods that had been before taken.

The Methods taken by the Dauphin *to hinder* K. Edward's *Progreſs.*

[2] Mat. Vil. l. 9. c. 83.

The French *with a great Fleet land in* England.

[3] H. K. Col. 2622, 2623.

[4] T. W.

In the mean while [2] the *French*, to divert the War from their own doors, as alſo to revenge the Injuries they had ſuffer'd, gather'd together in the Ports of *Normandy* a mighty Navy, conſiſting of a hundred Sail of Ships and twenty thouſand Men. Theſe under [3] the Conduct of the Earl of St. *Paul* ſail'd for *England*, and landing at *Rye* and *Haſtings*, plunder'd thoſe Towns, and kill'd the Inhabitants. [4] The like they did at *Winchelſea*, which they plunder'd and burnt, killing the Men, and raviſhing the Women after a moſt cruel and ſhameful manner. [5] *England* being alarm'd at theſe Devaſtations, there came out a Proclamation from the Lord *Thomas* of *Woodſtock*, and the Council, requiring that all Laymen whatſoever, between the Age of ſixteen and ſixty, ſhould be array'd for the Wars, and of theſe the luſtieſt and beſt arm'd ſhould be ſent to the Cinque Ports to the King's Admirals, for the defence of the Kingdom: And the Arch-Biſhops alſo and Biſhops thro their reſpective Dioceſſes, granted great Indulgences to all thoſe who would go to Sea againſt their Enemies; particularly, that every of them might chuſe his Confeſſor at his pleaſure. Thus by a pious Fraud (a good effect of a falſe Motive) were Men then encourag'd to do their Duty, and defend their Country when it was in danger. The Biſhops and Clergy alſo, tho they could not ſerve in Perſon, yet found men ſufficient to fight in their ſtead, according to the value of their ſeveral Dignities and Promotions; but before theſe great Forces could get together, the

[5] H. K. ib.

All Men from 16 *to* 60 *are commanded to be array'd to oppoſe the* French.

French not daring to proceed farther, were gone on board, and ſail'd away for *France*, which they did in ſo much haſte (upon the News of the Country's coming in upon them) that in their going on board many of them were drown'd, which with thoſe that were alſo kill'd by the Country Militia amounted to above four hundred men. Then upon the departure of the *French*, the [1] City of *London*, with the other Ports of the Kingdom, made up a Fleet of above a hundred Sail, on board of which were fourteen thouſand Men at Arms and Archers, who reſolving to be reveng'd for the late Inſults of the *French*, ſail'd over to the Coaſt of *France*, and ſcowr'd the Seas from *Bologne* to *Harfleur* in *Normandy*; and landing wherever they pleas'd, they ravaged, burnt and ſpoil'd the Country, yet without taking any Place of note, or ſo much as meeting with the *French* Fleet, as I can find. But we ſhall now give an account of King *Edward*, and the reſt of his Actions, before the great Treaty of *Bretigny*.

But before they could be got ready, the French *ſail away.*

[1] T. W. ib.

The City of London, *&c. ſet out a great Fleet.*

[2] The King had lain about two Months before *Rheims*, in all which time He never offer'd to aſſault the Place, either becauſe He thought it would be in vain, or elſe to ſpare the Lives of his Subjects; but being at laſt tired out with the tediouſneſs of the Siege, eſpecially becauſe Forage was ſo difficult to be got this Winter-time, and finding his Men began to loſe their Horſes, and to want Victuals themſelves, He therefore raiſed the Siege, and marched towards *Chalons* in *Champaigne*. But paſſing by that Place, He proceeded towards *Troyes*, and encamped about *Mery ſur Seyne*; his vaſt Army covering the Face of the Country for about eight Leagues together. While the King lay here, the Lord *Mortimer* went with the Vanguard to attempt *St. Florentine*; but after a furious Aſſault made upon it in vain, he gave it over. About this time the King came up to him, and departed from thence to *Tonnerre* in *Burgundy*, which City He took by Aſſault; but the Caſtle He could not gain, tho He often ſtorm'd it; for there was in it the Lord *Moreau de Fiennes*, with a very ſtrong Gariſon: So having ſtaid there five days to refreſh his Army with Wine and other Proviſions, He paſs'd over the River *Armanſon*, and took the Town of *Noyers* without any difficulty. From thence He marched to *Mont-Real*, and ſo to *Avallon* on the River *Couſſon*, where He tarry'd from *Aſh-Wedneſday* to *Midlent*, becauſe of the great Convenience He found there of getting Proviſion for his Army, which was brought Him from *Flavigny*, a neighbouring Town that had lately been taken by *John Alanſon*, one of his Officers: And here the King had ſome leiſure to divert Himſelf with Hawking and Hunting, having brought his Hawks and Hounds along with Him.

[2] Froiſ. c. 110.

The King being weary of the Siege of Rheims, *raiſes it.*

And marching thence, aſſaults ſome Towns, and takes others.

After [3] this the King removed to *Aiguillon* on the Borders of *Burgundy*, when the young Duke *Philip*, to prevent Him from ravaging his Country, ſent Sir *Anſelme de Sallins*, Chancellor of *Burgundy*, with ſome others, Commiſſioners to the King, to whom they offer'd a Compoſition in ready Mony, provided He would not commit any Hoſtilities in that Dutchy for the ſpace of three Years enſuing. This [4] King *Edward* agreed to upon the preſent payment of the Sum of two hundred thouſand *Montons* or *Florins* of Gold (which amount to about thirty five thouſand Pounds Sterling) beſides which the People of the Country were to afford Him Proviſions for his Army, paying ready Mony for them.

[3] Id. ib.

The D. of Burgundy *compounds with* K. Edward *for a Sum of Mony, not to ravage his Country.*

[4] Mat. Vill. l. 9. c. 84.

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[1] Froiſ. c. 110. *He marches back towards* Paris.

Then [1] the King leaving *Burgundy*, marched back towards *Paris*, and ſo paſſing the River *Yonne* at *Coulogne* beſide *Vezelay*, the Army ſpread along by the River, almoſt to *Clamecy*, at the entry of *Nivernois:* which Country alſo compounded with the King as *Burgundy* had done; but He laid waſte all *Gaſtinois* and *Brie*, thro which He marched towards *Paris* without any oppoſition. Then the Prince of *Wales* paſſed with his Battalion by a little Town on the *Loing* in *Gaſtinois*, called *Moret*, till He came to the ſtrong Fortreſs of *Le Pleſſis aux Tournelles*, which was then an *Engliſh* Gariſon, but had been beleaguered by the *French* for ſome time; who having fortified their Camp with a ſtrong Tower fenced with Ditches, gave many fierce Aſſaults on the *Engliſh*. And tho the *French* heard for certain, that the Prince of *Wales* was coming that way, yet they had ſuch confidence in their Works, that they would not ſtir from the Place: but they paid dear for their Preſumption; for the Fifth day after the Prince's Arrival their Tower was taken, and moſt of them within the Works put to the Sword: no more than Forty ſeven being taken alive, moſt of whom were Noblemen and Perſons of Quality, whoſe Names I paſs over.

He reſcues an Engliſh *Gariſon, and puts the* French *that beſieged it to the Sword.*

[2] Id. ib. *Upon the King's approach near* Paris, *the* Dauphin *offers a Treaty by the Pope's Legate.*

[3] Holing. ad hunc An. H.K. col. 2623.

Then [2] on the laſt of *March* (being the Week before *Eaſter*) the King advancing forward with his Army, drew near to the City of *Paris*, and encamped at *Bourg la Reine* within two Leagues of it, his Army being quarter'd at *Longemeau*, between *Mont-lehery* and *Chaſtres*, and all the Towns thereabout as far as *Corbeil*. At the ſight of this formidable Army, *Charles* the *Dauphin* and Regent of *France*, began to make ſome Overtures towards a Treaty, eſpecially becauſe King *Edward* in Reverence of the approaching Feſtival intended not formally to begin his Siege till after *Eaſter:* hereupon, [3] by the ſpecial Interceſſion of Father *Simon de Langres*, Provincial of the *Jacobin*-Fryars, and Legat from Pope *Innocent* VI. King *Edward* yielded to admit of a Treaty to be held at the *Maladerie*, or Hoſpital of *Longemeau*, on the *Good Friday* following, the Solemnity of the Day being look'd on as an enforcement to ſo pious an Undertaking: at which time and place there appeared as Commiſſioners for King *Edward*, *Henry* Duke of *Lancaſter*, the Earls of *Warwick* and *Northampton*, with the Lords *Manny* and *Cheney*; and for the Regent appeared the Lord *Moreau de Fiennes*, Conſtable of *France*, Mareſchal *Bouciquault*, with divers other Lords to the number of Six. whoſe Names we paſs by, as we do alſo the Debates of this Treaty, ſince they came to no manner of effect.

[4] Id. ibid. Froiſ. ib. *The Treaty is again renewed.*

Wherefore [4] King *Edward*, to bring the *French* to hearken to the Terms propos'd, marched on *Eaſter* Tueſday to the City of *Paris:* whereupon on the Friday following, being the tenth of *April*, at the earneſt Importunity of the foreſaid *Simon de Langres*, and of *Androine de la Roche* Abbot of *Clugny*, who was then newly come from the Pope for that purpoſe, another Treaty was appointed to be held; but neither yet could matters be brought to any good iſſue, ſo they parted leaving all things in the ſame ſtate, as when they firſt met. On the Sunday following King *Edward* drew up his Army into three Battalions, each of which was divided into three Bodies; and then He forthwith ſent the Duke of *Lancaſter* with his Heralds to the Regent of *France*, who was within the City with a great Army, to demand Battel of Him; [1] aſſuring Him that if King *Edward* ſhould loſe the Day, He would never after claim or aſſume any Right or Title to the Crown of *France*. But for all this the Cautelous Regent declin'd to anſwer his Challenge; which when the King heard, He was very much diſpleas'd, and upon the Lord *Manny*'s Requeſt ſent him forthwith a great many Knights that had been newly Dubbed, who together with other Forces were to ſet fire on the Suburbs, to provoke the *French* to come out and give Him Battel; whereupon they made a briſk and vigorous Aſſault on the Works and Barriers on that ſide, but were ſo ſtoutly defended by the *French* Nobleſſe, (of which there were a great number at that time in the City) that all the endeavours of the *Engliſh* prov'd in vain, tho they carry'd on the Aſſault from Morning till Noon. Yet the *Dauphin* was ſo wary, that He would let none of the *French* Nobleſſe ſally out beyond the Barriers; only [2] in the Afternoon, when the Fight was pretty well over, He permitted Sixty *French* Knights and Gentlemen to go out for their Diverſion, and *Tourney* with the like number of the *Engliſh*, who, having been lately Knighted, were deſirous to ſhew their Valour, which they did with ſuch good Succeſs, that having ſlain ſome of the *French* and grievouſly wounded others, they obliged the reſt to retire.

The King offers the Dauphin Battel.

[1] T. W.

The L. Manny, &c. *ſent to ſet fire on the Suburbs of* Paris, *but is repulſed by the* French Nobleſſe.

[2] H. K. c. 2623.

Sixty French *Gentlemen go out to* Tourney *with as many of the* Engliſh, *who worſt them.*

Theſe Actions being over, the Lord *Walter Manny* return'd to the Army, which tarried ſtill in thoſe Fields, all that Day and the Night following; but the next Morning being Monday the thirteenth of *April*, ſeeing no Provocations could bring the *Dauphin* to a Battel, and that it was morally impoſſible to force (otherwiſe than by Famine) ſo great a City (which was not only now well fortified, but furniſhed with ſo many able Soldiers, beſides the vaſt number of its Inhabitants, that he could not wholly block it up) the King therefore reſolved to riſe from thence, till a more favourable opportunity offer'd, and in the mean while to march with Fire and Sword thro *Beauce* and *Le Maine*, till He came into *Bretagne*; and there having refreſhed his Army, He intended to go back and renew the Siege of *Paris* in *July* or *Auguſt*, and to famiſh them by a long Siege into a Surrender; for as we ſaid before, He had made a Vow never to return into *England*, till He had brought *France* to his Terms, either by fair means or by Force.

The King reſolves to raiſe the Siege of Paris *for the preſent.*

Accordingly [3] on the Monday after *Eaſter* He raiſed his Camp, and began to march towards *Mont-le-hery*, reſolving to paſs along by the Banks of the *Loire* to *Bretagne*, and wholly to reduce that Dutchy under the Obedience of the Young Earl of *Montfort* his Son-in-Law, and then to return into *France*.

[3] Froiſ. c. 211.

He marches from Mont-le-hery, *in order to enter* Bretagne.

And here I cannot but obſerve concerning the Actions of this as well as the preceding Year, that King *Edward* going over into *France* in the beginning of the laſt Winter, and carrying on the Siege of *Rheims* ſo remiſly as He did, and riſing from it without taking the Place; as alſo his marching to *Paris*, and meeting there with no better Succeſs, but going away without either forcing his Enemy to fight, or being able to ſtay there long enough Himſelf to block it up and reduce it by Famine; I ſay, theſe things being ſo ill tim'd, cauſed ſome Reflections to be made upon that King's Conduct: For tho He had been near Six Months in *France*, and was Maſter of the open Country without any oppoſition; yet not being able to

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take any City or ſtrong Town, He had neither anſwered the Expectations the World had of this great Expedition, nor perform'd any thing worthy the vaſt Charge and Expence of ſo great an Army: whereas could He have order'd his Affairs ſo, as to have gone over preſently after the Expiration of the Truce, or have immediatly marched to *Paris*, and beſieged that City upon his firſt coming over, whilſt his Army was freſh and not harraſſed and fatigued with the unhappy Siege of *Rheims*, He might (in all probability) have either forced the *Dauphin* to come out and fight (and it was great odds but the Victory would have fallen on the *Engliſh* ſide) or if He refus'd it, the King by blocking up the Place, might have reduced the *French* for want of Proviſions to make Peace upon what Terms He ſhould pleaſe to have propoſed. And if you conſider the ſad and deplorable condition of *France* at that time, you will have reaſon to ackowledge, That without a particular Providence, it had been impoſſible for King *Edward* to have fail'd of making Himſelf abſolute Maſter of that Kingdom; and therefore nothing leſs than the deſperate eſtate it was then in, as well as the ſudden alteration of the King's Mind, by a ſtrange and unlooked-for accident, could ever have made the former ſubmit to, or the latter to have accepted of a Peace upon thoſe Terms, as you will find they not long after did, an Account of which it is time for me now to give you.

[1] Id. ib.

Upon K. Edward's *departure the* Dauphin *and the* French *Princes reſolve to apply themſelves again to the King for a Peace.*

So ſoon as King *Edward* with the *Engliſh* Army was removed from before *Paris*, [1] the *Dauphin* and his two Brothers, with the Princes of the Blood, and the reſt of the Nobility then in the City, began to enter into a ſerious Conſultation, what was beſt to be done for themſelves and the whole Kingdom, in ſuch nice and dangerous Circumſtances: for they knew King *Edward*'s great Courage and indefatigable Reſolution, and that He intended before *Autumn* to return to the Siege of that City; nor had they any ſufficient means left to oppoſe Him, not only for want of Forces to meet their Enemies in the Field, but chiefly becauſe the large Rents and Revenues both of the Church and State, were either quite loſt, or elſe reduc'd to little or nothing; when by reaſon of the Wars the greateſt part of the Lands lay uncultivated. Upon which Conſiderations it was reſolved by the *Dauphin* and his Council, That King *Edward* ſhould be again apply'd to, and ſome Advantageous Offers made Him, in order to a Peace.

[2] Id. ibid.

Whereupon freſh Envoys are diſpatched to the King for that end.

And [2] for this end they preſently diſpatch'd *William de Montegu*, Biſhop of *Terouenne*, by whoſe Direction moſt of the Publick Affairs had lately been order'd; together with two prudent and pious Prelats, *Androine de la Roche*, Abbot of *Cluigny*, and Father *Simon de Langres* the Pope's Nuncio above-mention'd, with the Lord of *Authun*, to follow after King *Edward* with certain Propoſitions of Peace: and finding Him in *Beauce* going towards *Gaillardon*, immediately they addreſſed themſelves to Him with all humility, that in order to a Peace between *France* and Himſelf, He would permit the Treaty to be again renew'd. To which the King, hoping for more advantageous Conditions than had hitherto been offer'd, readily conſented; and it was immediatly enter'd upon between theſe Commiſſioners and the Prince of *Wales*, with others on the behalf of King *Edward*. But their Demands were ſo high, and the *French* Propoſals ſo much beneath what

The Treaty is again renewed.

He

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He expected, that they could come to no Concluſion; yet did it not abſolutely break off, but knowing the neceſſity of their Affairs, the *French* Commiſſioners followed King *Edward* for ſeveral days together with all imaginable application, conſtantly giving the *Dauphin* and the Council at *Paris* an Account of their Proceedings, ſince King *Edward* would not come to any Agreement on the Terms firſt propoſed.

The D. of Lancaſter *remonſtrates to the King the great inconveniences of protracting the War.*

Thus matters continued in ſuſpence, [1] till the King arrived in the Country about *Chartres*, where notwithſtanding the Duke of *Lancaſter*'s prudent Remonſtrances to Him, that conſidering the unexpected length and delay of this War, with the vaſt Expence of it, which had not only exhauſted his own Revenues, but thoſe of his very Kingdom, and alſo the various hazards and chances of War, it was therefore his beſt and wiſeſt Courſe to accept of the Terms the *French* now offer'd, and to make Peace with Honour and Advantage. Which Perſuaſions, tho they might have ſome effect upon the King's Mind, yet He would give no Ear to the Propoſals their Agents had hitherto made, till there fell a ſtrange and unlook'd-for Accident, which quite alter'd his Reſolutions; for whilſt the King lay encamped with his Army in the Fields within a few Leagues of [2] *Chartres*, there fell one day a terrible Storm and Tempeſt of Thunder, Lightning, Rain, and Hail among the *Engliſh* Army, and withal it was ſo exceſſive cold at the ſame time, as could not be ſufficiently expreſſed; ſo that all theſe happening together, there periſhed no leſs than ſix thouſand Horſes, and well nigh a Thouſand Men, among whom were ſeveral Perſons of Quality, particularly the Lord *Morley* was killed outright, and the Lord *Guy Beauchamp*, eldeſt Son to the Earl of *Warwick*, being mortally wounded by one of the Hail-ſtones, died thereof on the Eight and twentieth day of [3] *April* following. But to conclude this ſtrange Relation, King *Edward* (as well as his whole Army) was ſo frighten'd and aſtoniſh'd at this Tempeſt, that looking upon it as a mark of the Divine Diſpleaſure, He immediatly alighting from his Horſe, kneeling down on the Ground, and caſting his Eyes towards the Church of our Lady of *Chartres*, then in his view, made a Solemn Vow to Almighty God, that He would now ſincerely incline his Mind to a final Peace with *France*, if it might be obtain'd upon Honourable and Advantageous Conditions; and then He took up his Quarters in a Village within a Mile of *Chartres* called *Bretigny*, where the *French* Commiſſioners being come the next day, with more ample Inſtructions, the King was content to accept of Peace.

The King affrighten'd at a ſtrange Accident, vows to make Peace if it be on good Terms.

The Treaty renewed at Bretigny.

But before we come to that, it is fit we let you know that this Treaty was managed by the [4] Prince of *Wales* and *Charles* Regent of *France*, in the Names of both the Kings their Fathers. The Commiſſioners for the *Engliſh* were Sir *Reginald de Cobham*, Sir *Bartholomew Burgberſh*, Sir *Francis Hale* Banerets, Sir *Miles Stapleton*, Sir *Richard la Vache*, and Sir *Neel Loring* Knights, with others of the King's Council; on the *French* Part were the Biſhop Elect of *Beauvais*, the Chancellor, *Charles* Lord *Momerency*, Lord *John de Meingre*, Mareſchal of *France*, Monſieur *Aynart de la Tour*, Lord of *Vivoy*, Monſieur *Ralph de Ravenal*, Monſieur *Simon de Bucey*, Monſieur *Stephen de Paris*, and *Peter de la Charite*, with many others of his Council appointed by King *John* Himſelf, tho He were then in *England*.

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[1] Id. ibid.

[2] Id. ibid. T. W.

[3] Froiſ. ibid.

[4] Rot. Franc. 34 E. 3. M. 11. Dorſ.

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The Plenipotentiaries meet, and conclude on Articles of Peace.

[1] Theſe Commiſſioners on both ſides met the firſt of *May* at *Bretigny* aforeſaid, and concluded upon all the Articles of this Peace in eight days time; which being very long, I ſhall only here inſert the main Heads of it, and as for the Articles at large, ſhall refer the Reader to the *Appendix*, where he will find it in *Engliſh* faithfully tranſlated by Dr. *Brady* from the Original *France*, as it remains upon Record in the Rolls of the *Tower*, being written in two Counter-parts; that on the behalf of the King of *England* being drawn up after the manner of Letters Patents in the name of the Prince of *Wales*, is ſtill preſerv'd in a Box within a great Cheſt in the Chapter-houſe at *Weſtminſter*. * But that which was ſeal'd by the Prince, and is confirm'd by the Charter of the King his Father, begins as follows.

EDward, [a] eldeſt Son to the King of *France* and *England*, Prince of *Wales*, Duke of *Cornwal*, and Earl of *Cheſter*, to all thoſe who ſhall ſee theſe Letters, greeting. We let you to know, that all Debates and Diſcords whatſoever, moved or ſtir'd between our Lord and Father, King of *France* and *England*, on the one part; and our Couſins the King, his eldeſt Son, Regent of the Realm of *France*, and all thoſe it may concern, on the other part, for the good of Peace it is agreed, the eighth day of *May* 1360. at *Bretigny* near *Chartres*, to this effect:

I. King *Edward* was hereby to enjoy the City of *Poictiers*, with the County of *Poictou*, with other ſmaller Fiefs appertaining to it; the City of *Xaintes*, and the whole Land of *Xaintogne*, on this ſide and beyond the River of *Charente*; the City and Caſtle of *Agen*, and the Territory or Country of *Agenois*; the County of *Perigort*, with the City of *Perigeux*; the Earldom of *Limoges*, with the County of *Limozin*; the City of *Cahors*, with the County of *Caborſin*; the City and County of *Tarbe*, with the Earldom of *Bigorre*; the Earldom and Country of *Gaure*; the City of *Angouleſme*, with the Country thereunto belonging; the City of *Rhodes*, the Land of *Rovergne*, with the Homages and Services of the Earls of *Foix* and *Armagnac*, with other Lords there mention'd, all which were to be held without any Homage or Dependence on the Crown of *France*.

Concerning Monſtruel.

II. Alſo the King of *England* was to have all that any of the Kings his Predeceſſors antiently held in the Town of *Monſtruel* upon the Sea, with their Appurtenances.

Concerning Ponthieu.

III. The ſaid King ſhould have all the County or Earldom of *Ponthieu* entirely, except ſuch things as have been alienated from it by the Kings of *England*.

Concerning Calais, *and the Country adjacent.*

IV. Alſo that the ſaid King ſhould have the Caſtle and Town of *Calais*, the Caſtle, Town and Seigneuries of *Merk*, the Towns, Caſtles and Lordſhips of *Sangate*, *Coulogne*, *Hamet*, *Wale* and *Oye*, with all the Appurtenances thereunto belonging. Then follow the Boundaries of the Territories of *Calais*, needleſs to be here recited.

Concerning Guiſnes.

V. Alſo the ſaid King ſhould have the Town and County of *Guiſnes*, with their Appurtenances, as entire as the late Earl of *Guiſnes* had enjoy'd them, &c.

Concerning the Iſles.

VI. Alſo it was agreed, that the King of *England* and his Heirs ſhould have and hold all the Iſles adjacent to the Lands, Countrys, and Places

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[1] Mezeray ad hunc An.

* *Note, the Reader may alſo find that Part which the K. of* France *ſeal'd, printed in Dr.* Brady's *Append. to his laſt Vol.* n. 93. *but this is a true Abridgment of them both.*

[a] Rot. Tract. Pacis Franc. 34 Ed. 3. m. 10. *printed in* Leibnitz's Cod. Dip. p. 208, *to* 220.

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Places before-nam'd, together with all other Iſles which He holds at preſent.

How thoſe Territories ſhould be deliver'd.

VII. It was likewiſe agreed, that the King of *France* and his eldeſt Son, for them, their Heirs and Succeſſors, ſo ſoon as they could, and at the furtheſt by *Michaelmas* next come twelvemonth, ſhould transfer and deliver all Honours, Homages, Liegences, Vaſſals, mere and mixt Empire, with all manner of Juriſdiction, and all Collations and Patronages of Churches, *&c.* and all the Right they might have, or that appertain'd to them, by what Title or colour of Right ſoever, as to the King and Crown of *France*, by reaſon of the Citys, Counties, Towns, Caſtles, Lands, Countries, Iſles and Places before-named, with all their Appurtenances and Dependances, *&c.* without retaining any thing to them, or their Heirs and Succeſſors, or to the King or Crown of *France*. Then follows a Clauſe or Condition, that the *French* King and his eldeſt Son ſhould ſend their Letters Patents to all the Arch-Biſhops, Biſhops, and all other Prelats, *&c.* and to the Earls, Viſcounts, Barons, Noblemen, Citizens, and others of the Citys, Lands, Countries, *&c.* before named, that they ſhould obey the King of *England* his Heirs in their Commands, after the ſame manner as they had obeyed the Kings and Crown of *France*, Who ſhould by the ſame acquit and abſolve them after the beſt manner they could, from all Homages, Oaths, Obligations, *&c.* made by any of the ſaid Subjects to the King and Crown of *France*.

How the King ſhould enjoy theſe Territories.

VIII. The eighth was to this effect, that the King of *England* ſhould have the ſaid Cities, Counties, Lands, *&c.* with all their Appurtenances and Dependences wherever they are, to hold to Him, his Heirs and Succeſſors, heritably and perpetually in Demain, in the ſame manner as the King of *France* held them, free and diſcharged of all Alienations, Donations, Obligations, or Incumbrances done by any of the Kings of *France*, in ſeventy Years from that time; and all things ſo given, alienated, or incumber'd, ſhould be truly render'd or given to the ſaid King and his Deputies entirely, and in the ſame Conditions as they were ſeventy years ſince, without any fraud; and that at *Michaelmas* next come twelvemonth, except what is ſaid in the Article relating to the County of *Ponthieu*.

How the King ſhould hold thoſe Lands that had bin his Predeceſſors.

IX. Alſo it was agreed, that the King of *England* ſhould have and hold all the Cities, Counties, Caſtles, Lands and Countries above-nam'd, which antiently the Kings of *England* had not, in the ſame Eſtate as the King of *France* and his Son hold them at preſent.

What the King was farther to enjoy.

X. Alſo it was agreed, that if within the Limits of the Countries which the Kings of *England* antiently poſſeſs'd, they ſhould now have any thing that was not then theirs, of which the King of *France* was in poſſeſſion on the nineteenth of *September* 1356. they ſhould be and remain to the King of *England* and his Heirs as aboveſaid.

XI. The eleventh being much the ſame with the ſeventh already cited, only concerning the Regalities and Sovereignties of the Places transfer'd, and being afterwards much alter'd and contracted by the Treaty at *Calais*, I omit it.

Of the Renunciations to be made by both Kings.

XII. *Alſo it was agreed, that the King of* France *and his eldeſt Son ſhould expreſly renounce all* Reſorts *and Sovereignties, and all the Rights they have, or can have, in and over all thoſe things, which by this Treaty ought to belong to the King of* England: *and in like manner, He the ſaid*

King and his eldeſt Son ſhould renounce expreſly all thoſe things which by this Treaty ought not to belong, or to be delivered to Him, and all Demands He makes of the King of France; *and eſpecially to the* Title *and* Right *to the Crown of the Kingdom of* France, *and to the Homages, Sovereignty and Demain of the Dutchy of* Normandy, *the Dutchy of* Tourain, *the Counties of* Anjou *and* Main, *the Sovereignty and Homage of the Dukedom of* Bretagne, *and the Homages and Sovereignties of the Country of* Flanders, *and all other Demands He can make of the King of* France, *for what cauſe ſoever, except what by this Treaty ought to remain, and be delivered to the King of* England *and his Heirs.* Then *follows a Clauſe that both the Kings ſhould mutually releaſe and transfer to each other all the Right which either of them had or might have in all the things, which by this Treaty ought to remain, and be deliver'd to each of them.*

This twelfth Article was entirely omitted out of this Treaty, being corrected and alter'd at *Calais*, when both Kings met there; as was alſo the word *Reſorts* in all other Places of it; which afterwards proved very much to the prejudice of the King of *England*, becauſe the mutual Renunciations that were to be inſtead of it were never made.

Of conducting the King of France *to Calais.*

XIII. Alſo it was agreed, that to the end this Treaty might ſpeedily be accompliſhed, the King of *England* ſhould conduct the King of *France* to *Calais* within three weeks after *Midſummer* (there being no juſt hindrance) at his own expence.

Of paying three Millions of Gold Crowns.

XIV. Alſo it was agreed, that the King of *France* ſhould pay to the King of *England* three Millions of Crowns of Gold (whereof two ſhould be of the value of a Noble of *Engliſh* Mony) of which ſix hundred thouſand Crowns ſhould be paid to Him or his Deputies, within four Months after the King of *France* ſhould arrive at *Calais*; and within a Year following four hundred thouſand Crowns more ſhould be paid at *London*, and ſo every Year four hundred thouſand Crowns ſhould be paid there until the whole was diſcharged.

Of delivering the King of France, *&c.*

XV. It was alſo agreed, that upon the payment of the ſix hundred thouſand Crowns at *Calais*, and the delivery of the Hoſtages hereafter named, within four Months after the King of *France* ſhould arrive at that Place, the Town and Caſtle of *Rochel*, the Caſtles and Towns of the County of *Guiſnes* ſhould then be render'd to the King of *England* with all their Appurtenances; upon which the Perſon of the King of *France* * ſhould be delivered out of Priſon, and then ſhould not arm Himſelf or his People againſt the King of *England*, but was faithfully to accompliſh what was to be perform'd by this Treaty; and the Hoſtages were to be the Noblemen taken Priſoners at the Battel of *Poictiers*, for whoſe Names, as alſo for the reſt that were to be added to them, I refer you to Dr. *B*'s *Appendix*; only ſhall obſerve, that ſix of them were to be of the Blood Royal of *France*, *viz.* Monſieur *Lewis* Earl of *Anjou*, Monſieur *John* Earl of *Poictiers*, the King's Sons, the Duke of *Orleans* the King's Brother, and the Duke of *Bourbon*; but as for Prince *Philip* the *French* King's younger Son, tho He could not be deliver'd, becauſe He was already Priſoner with his Father, yet He was ſtill to remain as one of the Hoſtages.

* *Note, he was ſtill a Priſoner in* England.

N. 93. p. 93.

Of the Hoſtages.

XVI. By the ſixteenth it was agreed, that thoſe ſixteen Princes and Noblemen that were to be thus given as Hoſtages, ſhould be deliver'd

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and ſet free without paying any Ranſoms. This Article was particularly confirm'd at *Calais* by King *Edward*'s Charter.

XVII. By the ſeventeenth it was agreed, that if any of thoſe Hoſtages there named ſhould refuſe to come to *Calais* according to the Agreement, or ſhould die, or remove out of the Power of the King of *England* during the time; then upon notice given in the manner agreed on by this Article, the King of *France* ſhould deliver others of the ſame Quality in their ſtead as ſoon as might be, within four Months; yet at his Departure from *Calais*, He might take ten of theſe Hoſtages along with Him, provided there ſtill remain'd thirty behind. This Article was alſo confirm'd by a like Charter.

XVIII. By the eighteenth it was agreed, that the ſaid King within three Months after his Departure from *Calais*, ſhould ſend thither as Hoſtages four of the moſt conſiderable Citizens of *Paris*, and of the Towns following, viz. *St. Omers*, *Arras*, *Amiens*, *Beauvais* and *Liſle*, with ſeveral others, for which I refer you to the Articles themſelves.

Of K. John's *remaining at* Calais.

XIX. By the nineteenth it was agreed, that the King of *France* ſhould be brought from *England* to *Calais*, and there remain for four Months; and that, excepting the firſt Month, He was to pay for each of the other three Months the Sum of ſix thouſand Royals for his Maintenance, before his departure from that Town. King *Edward* at *Calais* gave the *French* King an Acquittance for this Sum under his Seal.

Of reſtoring the Earldom of Montfort.

XX. By the twentieth it was agreed, that within a Year after the *French* King's departure from *Calais*, He ſhould deliver to *John de Montfort*, his Earldom of *Montfort*, with its Appurtenances, as alſo all his other Heritages, He doing his Homages for them.

Of the Dutchy of Bretagne.

XXI. The twenty firſt contains a Project for the ending of all Differences between the ſaid Earl of *Montfort*, and the Lord *Charles* of *Blois*, concerning the Dutchy of *Bretagne*, by the Mediation of the two Kings; which ſince it never took any effect, I omit.

Of the Liberties and Franchiſes of the Countries, Cities, &c.

XXII. Alſo it was agreed, that all the Lands, Towns, Countrys, Caſtles, and other Places deliver'd to the King of *England*, ſhould enjoy ſuch Liberties and Franchiſes as they had at preſent; which ſhould be confirm'd by the ſaid Kings or their Succeſſors, ſo often as they ſhould be duly thereunto required, if they be not contrary to this Accord.

Of the K. of Navarre'*s Reſtitution.*

XXIII. By the twenty third the *French* King was within one Year to reſtore *Philip* King of *Navarre*, and his Adherents, all their Towns, Caſtles, Lordſhips, Rents, *&c.* whatſoever, with Pardon and Indemnity of all that had been done by them, ſo the ſaid *Philip* and his Adherents return'd to their Homage, and ſhould perform their Duty for the future like good and loyal Subjects.

Of the Ld de Harcourt'*s Lands.*

XXIV. The twenty fourth contains a Power for the King of *England* to beſtow, for that one time only, the Lands and Heritages of the late Lord *Godfry de Harcourt* deceas'd, to be held of the Duke of *Normandy*, and other Lords, by the wonted Services.

Indemnity for ſuch as ſubmitted to either King.

XXV. By the twenty fifth it was agreed, that any Perſons or Countries under the obedience of one Party, that ſhould by the virtue of this Agreement paſs to the Allegiance of the other, ſhould not be troubled or impeach'd for any thing done in time paſt.

XXVI. By

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Reſtitution of Perſons baniſh'd.

XXVI. By the twenty ſixth it was agreed, that all the Lands of the *Baniſh'd* and their Adherents of one part and the other, ſhould be fully reſtor'd to them, free of all Penſions and Charges, in the ſame ſtate they were in before the War began.

Delivery of the Cities and Territories within one Year.

XXVII. Alſo it was agreed, that the King of *France* ſhould deliver to the King of *England*, ſo ſoon as He could well, and at furtheſt within one Year, after his Departure from *Calais*, all the Cities, Towns, Countries, and other Places above-named, which by this Treaty ought to be delivered to Him.

The Fortreſſes to be deliver'd at each King's charge.

XXVIII, XXIX. By the two next it was agreed, that upon the mutual Delivery of the Towns, Cities and Countries therein mention'd, the King of *France* ſhould at his own proper Coſt and Expence deliver all the Fortreſſes now held and poſſeſ'd by Him, or which ſhould be held by any Rebels, that ſhould refuſe his abovemention'd Commands, as alſo in *Normandy*, for thoſe Places which King *Edward* was therein to poſſeſs; and likewiſe the King of *England* was at his own expence to deliver all ſuch Fortreſſes to the *French* King, which by virtue of this Treaty were to belong to Him, ſo as the ſaid Kings and their Subjects ſhould be bound to aid each other with their Men (for the Wages uſually paid) to that purpoſe.

Subjection of the Prelats.

XXX. Alſo it was agreed, that all the Arch-Biſhops, Biſhops, and oher Prelats and Clergy-men, by reaſon of their Temporalties, ſhould be ſubject to that King under whom they were to hold their Temporalties; and if they had Temporalties under both Kings, they ſhould then be ſubject to each King for what they ſo held of Him.

This Article was alſo confirm'd at *Calais* by King *Edward*'s Charter.

Alliances to be obſerv'd between the two Kings.

XXXI, XXXII. By the two next it was agreed, that all good Alliances, Amities and Confederacies, ſhould be made between both the Kings and their Kingdoms, notwithſtanding any Confederacies they had made on this ſide, or beyond the Sea, with any Perſons, be they of *Scotland* or *Flanders*, or any other Country. And the *French* King, and his eldeſt Son the Regent, ſhould alſo for them and their Heirs, Kings of *France*, renounce all Confederacies made with the *Scots*; and hereby promiſe, that they would not give to the King or Realm of *Scotland*, or the Subjects thereof, any Aid or Favour againſt the King of *England*, his Heirs and Succeſſors, nor againſt his Kingdom, or the Subjects thereof, in any manner whatſoever; and in like manner, ſo ſoon as might be done, the King of *England*, and his eldeſt Son, ſhould renounce all Alliances they had made with the *Flemings:* and ſo proceeds in the ſame words concerning them, as the King of *France* had engag'd to do in reſpect of the *Scots*.

Collation of Benefices beſtow'd by either King.

XXXIII. By the thirty third it was agreed, that all Collations of Benefices made by one part or the other, ſhould hold good, and that all Profits and Revenues as had been iſſuing out of ſuch Benefices, or any Temporal Eſtates during the Wars, ſhould be acquitted by either Party.

Confirmation of this Treaty by the Pope.

XXXIV. Alſo that the Kings abovenam'd ſhould be bound to cauſe to be confirm'd all the things aboveſaid by our Holy Father the Pope, and they ſhould be made ſure and ſtrengthen'd by the Sentences and Cenſures of the Court of *Rome* in the ſtrongeſt manner that could be, *&c.*

XXXV. The thirty fifth contain'd a Licenſe for all the Subjects of the ſaid King to come to ſtudy in the Univerſities of *France* and *England*, and ſhould there freely enjoy the Privileges and Liberties of thoſe Places.

Further Securities to be delivered by both Kings.

XXXVI. By the thirty ſixth it was agreed, that for the rendering the Matters now treated and agreed on, more firm and valid, there ſhould be further given theſe Securities following, *viz.* Letters (or Inſtruments) ſeal'd with the Seals of both Kings, and their eldeſt Sons; and their other Sons alſo, as well as the Princes of the Blood, and other great Men of their Kingdoms, to the number of twenty on each ſide, ſhould take an Oath, that they would obſerve and keep all the Points now treated and agreed upon, as much as ſhould concern them, and without Fraud or Deceit ſhould accompliſh and fulfil them, without ever doing any thing to the contrary.

What to be done with ſuch Rebels as ſhould diſobey this Treaty.

Then follows a recital of the former Agreement, that in caſe there ſhould be any Rebels in *France* or *England*, that ſhould refuſe to obey the Matters aboveſaid, both Kings ſhould make uſe of the Bodies and Goods of their Subjects to reduce ſuch Rebels to obedience, according to the Form and Tenor of this Treaty. And the ſaid Kings and their Heirs ſhould ſubmit themſelves to the Coercion of the Pope, that He might by the Cenſures of the Church conſtrain ſuch Rebels to obey according to reaſon; yet however both Kings did thereby renounce all Wars and Contention: And if by Diſobedience, Rebellion, or Power of any Subjects of *France*, &c. the King of *France* or his Heirs could not accompliſh all the things aboveſaid, the King of *England* and his Heirs ſhould not make War againſt the King of *France*, his Heirs or Kingdom; but both together ſhould endeavour to bring the Rebels to due Obedience, and accompliſh the things aboveſaid. Then follows a like Clauſe on the behalf of the King of *England*, in caſe any of his Subjects ſhould not render the Caſtles, Towns and Fortreſſes they held in the Realm of *France*; but in ſuch caſes both Kings ſhould join their Powers to recover the ſame, that ſo all Obedience might be given to this Treaty without either of the Kings making War upon each other, or his Kingdom, &c.

All other former Treaties to be void.

XXXVII. Alſo it was agreed, that by this preſent Treaty, all other Treaties, if any had been made before, ſhould be null and void, and never be of any advantage to either Party, nor cauſe any Reproach of one to the other, for not obſerving them.

*Further Confirmation of this Treaty at Ca*lais.

XXXVIII. Alſo the preſent Treaty ſhould be approved, ſworn to and confirm'd by the two Kings, when they ſhould meet at *Calais*; and after the King of *France* ſhould be gone from thence, and be in his own Power, within a Month next following, He ſhould make Letters Patents of Confirmation, and ſend and deliver them at *Calais* to the King of *England*, and receive the like from the ſaid King.

No Alterations to be made in this Treaty at Rome.

XXXIX. By the thirty ninth it was agreed, that neither of the Kings ſhould procure, or cauſe to be procured, any Trouble or Moleſtation by the Church of *Rome*, or any of Holy Church, concerning this Treaty, towards either of the Kings, their Coadjutors, Adherents and Allies, whoever they be, or their Lands or Subjects, on occaſion of the late War, or any other matter or thing, &c. or if the Pope ſhould do it of Himſelf, either of thoſe Kings ſhould hinder it, to the utmoſt of their power, without any Deceit.

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Time for the delivery of the Hoſtages.

XL. Alſo concerning the Hoſtages that were to be deliver'd to the King of *England*, and the manner and time thereof, it was to be agreed and determin'd by both the Kings, when they met at *Calais*.

The Dauphin *is ſaid to have yielded to this Peace by conſtraint.*

A Truce agreed for a Year, till the Treaty could be ratified.

The manner of its being perform'd.

Theſe Articles being agreed by the Commiſſioners of King *Edward* and thoſe of the Regent of *France*, were alſo after that ſolemnly ratify'd and ſworn to by both thoſe Princes; tho the Regent is by the [1] *French* Hiſtorians ſaid to have yielded thereto by Conſtraint, not that he was at all pleaſed with it, but becauſe He ſaw the Realm was no longer able to ſubſiſt amidſt thoſe Deſolations and Ruins, which the War had brought upon it: however upon ſending back the Teſtimony of his Hand and Seal, that He had conſented thereto, in order to the full Completion of this Treaty, a Truce was made to continue between the two Kings, their Adherents and Confederates, from that time to the Feaſt of St. *Michael* next enſuing, and from thence forward for a Year; that during that Time all matters in order to a firm and perpetual Peace, might be duly and rightly deviſed and eſtabliſhed, and till King *John* might be at Liberty; only the two eldeſt Sons of both the Kings, in the mean while, were ſolemnly ſworn to maintain this Agreement. And firſt, the Prince of *Wales* ordain'd on his part four Lords of *England*, that is to ſay, the Lord *Ralph Stafford* Earl of *Stafford*, the Lord *Reginald Cobham*, the Lord *Guy Brian*, and the Lord *Roger Beauchamp*, who being moſt joyfully received at *Paris*, and magnificently treated by the Regent and his Brothers, afterwards waited on them to the Chappel of the Palace, where on the behalf of Prince *Edward* they receiv'd the Oath of the *Dauphin* Regent of *France*; which (as * *Walſingham* relates) was perform'd in this manner. At the end of the Litany, the ſaid Prince went up to the Altar, and laying his Right Hand upon the *Paten*, wherein lay the Holy *Euchariſt*, and his Left on the *Goſpel*, He took his Oath in theſe Words: *We* Charles *do ſwear upon the Holy Body and the Goſpels of our Lord, firmly, as much as in us lyes, to keep this Peace and Concord thus formed between the two Kings, and by no means to go againſt the ſame: So help us*, &c. And the like Oath was afterwards taken by the Prince of *Wales* in preſence of four Barons of *France*, in the Church of *Loviers* in *Normandy*: of both which there were made Letters Patents; thoſe at *Paris* bearing date on the Tenth day of *May*, and the Others at *Loviers* on the Sixteenth of the ſaid Month, *A. D.* 1360.

The Treaty being ratified by the Regent of France, *K.* Edward *returns to* Calais.

And then into England.

And indeed this is a much more likely account concerning this Tranſaction, than what the [2] *French* Hiſtorians give of it; that theſe Lords above-mention'd did at the ſame time ſwear on the behalf of the King their Maſter and his Sons, in the ſame manner as the Regent had done before. But this is certain, [3] that upon King *Edward*'s receiving Advice of the Ratification of the Treaty by the Regent, He raiſed his Camp from *Bretigny*, and marched by *Pont de L'Arche* over the *Seine*, and by *Abbeville* over the *Soame* in peaceable manner, and ſo went to *Calais*. And ſo ſoon as He was arrived there, He went to the Church of St. *Mary*, and there gave ſolemn Thanks to God; after which going into *Normandy* to ſettle his Affairs there, * He, together with his Sons and many of the Nobility, took Shipping at *Harfleur*, and arrived at *Rye* on the Eighteenth of *May*; but the reſt of the Army went

[1] Du Cheſne, p. 692.

* Ad hunc An.

[2] Du Cheſne ibid.

[3] Id. ibid.

* Rot. Clauſ. 34 Ed. 3. m. 30.

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went over from *Calais*, where He leſt the Earl of *Warwick* as his Lieutenant in *France*, to ſee the Treaty duly obſerved.

Then [1] the King being come to *London*, cauſed King *John* to be brought privately from the *Tower* to the Chappel of the Palace of *Weſtminſter*, where He ſhewed Him the Treaty agreed and ſworn to by the Regent his Son, with which, as being extreme deſirous of his Liberty, He ſeemed ſo well ſatisfied, that He thereupon treated K. *Edward* at a Dinner in the *Tower*, where both Princes plighted their Faith to each truly to perform the ſaid Treaty; the *French* further promiſing to confirm it Himſelf in Perſon when He came into *France*: after which He rode with the Prince of *Wales* from *London* to *Windſor*, to make a Viſit to the Queen; and having received many great and ſplendid Entertainments from the King, ‖ He return'd again to *London*, and paid his Devotions, and made his Offerings at the Famous Shrine of St. *Erkenwald* in St. *Paul*'s Cathedral.

[1] Du Cheſne ib.

King Edward *communicates this Treaty to the* French *King, who promiſes to confirm it.*

‖ Dugd. Hiſt. of *S. Pauls*, p. 21.

Then King *Edward* having * equipped a ſufficient Fleet under the command of Sir *John Beauchamp*, in order to tranſport the *French* King to *Calais*, and all things being now ready for his Departure, the King Himſelf accompany'd Him as far as *Dover*; but K. *John* was attended to *Calais* by the Black Prince, the Duke of *Lancaſter*, and many other Noblemen, where they ſafely arrived on the Ninth of *July*, and where that King was honourably received, and lodged in the Caſtle; but King *Edward* returned back, and ſtay'd in *England* for ſome time, till He could hear that the firſt payment of the Mony agreed on for the Ranſom was ready according to the Articles; [2] and King *John* was forced to ſtay there almoſt Three of the Four limited Months e'er He could raiſe the aforeſaid Sum of Six hundred thouſand Crowns: But during that time He had frequent Meſſages from the *Dauphin* and his other Children, who at his deſire were now at *Amiens*; but about the beginning of *October*, the greater part of the firſt Payment being got ready, and the Hoſtages for the reſt deliver'd at *St. Omers*, [3] King *Edward* upon this Advice took Shipping, and on the Ninth of the ſame Month arrived at *Calais*, and from thence went immediatly to pay a Viſit to K. *John*, who received it very kindly, and invited Him and his Sons to an Entertainment, which was about three days after accepted of by the King, none ſitting down at the Table but the ſaid Kings and their Sons. When this Entertainment was over, two of the Younger Sons of each of the Kings went with their Fathers Leave towards *Boulogne*, where at that time the *Dauphin* was: but He meeting them half way, conducted them to *Boulogne*, where they all reſted that Night. The next Morning the *Dauphin* having leſt the two *Engliſh* Princes there, as it were Pledges for his Security, rode Himſelf to *Calais*, and having firſt waited on the King his Father, afterwards both of them went to King *Edward*'s Palace to Dinner, where they were received with great Honour, and entertain'd at a very ſplendid Feaſt: after which they took their Leaves, and return'd again to *Boulogne*; and K. *Edward*'s two Sons came back to *Calais*.

* Rot. Fran. 34 Ed. 3. m. 6.

King John *goes to* Calais.

[2] Du Cheſne p. 693.

K. John *forc'd to ſtay at* Calais *till the Sum could be rais'd.*

[3] Fab. Chron. ad hunc An.

Upon which K. Edward *goes over, and pays him a Viſit.*

The Dauphin *viſits his Father; they are all nobly entertained by K.* Edward.

Then [4] on the four and twentieth of *October*, they proceeded to more ſerious Buſineſs, and the Peace was fully ſworn to and eſtabliſhed between the two Kings after this manner: They being both ſeated on two diſtinct Thrones in St. *Nicholas*'s Church at *Calais*, High Maſs was ſung before them by *Androine* Abbot of *Clugny*; but when the

[4] Id. ibid.

The Treaty ſolemnly ratified by both Kings.

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* *Note, the* Pax *is a Croſs of Gold or Silver, kiſſed at the end of Maſs by all preſent, in memory of the Kiſs given by the Primitive Chriſtians to each other at their going from Divine Service.*

[1] Rain. ad hunc An.

† *That is, the conſecrated Wafer or* Hoſt, *as they call it.*

* *Pax* came to be kiſſed, the *French* King to whom it was firſt offer'd modeſtly refuſed it; after which King *Edward* excuſing Himſelf in Generoſity, King *John* roſe firſt, and went toward King *Edward*, who being aware thereof, got up haſtily and went to meet Him, where both again refuſing the *Pax*, they kiſſed each other with all outward Demonſtrations of mutual Friendſhip. At this Maſs both Kings were ſolemnly ſworn to maintain all the Articles of the ſaid Peace; and for the further Security thereof, [1] many of ſaid Lords of both Realms were alſo ſworn to help to preſerve the ſame to their Powers, eſpecially the two eldeſt Sons of *England* and *France*; and at the ſame time the Duke of *Orleans*, in the Name of King *John*, and Prince *Philip* of *Navarre* for the King his Brother, ſwore to forget all Injuries on both ſides, and to cultivate a mutual Friendſhip for the future. Theſe Oaths were thus taken both on the *Evangeliſts* and the † *Euchariſt*, and thereupon the two Kings received the Sacrament in both kinds; and they were ſo well ſatisfied with the Conduct of the ſaid Abbot of *Clugny*, that they jointly requeſted of the Pope to beſtow on him a Cardinal's Cap, for his diligent and effectual Service therein, which was the Year after accordingly perform'd.

The Hoſtages delivered, and 4000000 *Crowns being paid down, time is given for the reſt.*

Charters containing the Articles of the Treaty at Bretigny, *being corrected at* Calais, *are mutually delivered by both Kings.*

At the ſame time the Hoſtages, who (according to the 15*th* and 18*th* Articles) were to be given as well for the Security of the Payment of the King's Ranſom as of the Reſtoration of thoſe Places (which as yet were not put into the *Engliſh* hands) were delivered to King *Edward*; and alſo there were there paid unto Him Four hundred thouſand Crowns of Gold in part of the Six hundred thouſand, K. *Edward* giving further time for the Payment of the remaining Two hundred thouſand, till *Chriſtmas* and *Lady-day* following; which done, both Kings interchangeably granted their Letters Patents under their Great Seals to each other, confirming the Articles lately concluded at *Bretigny*, with ſuch Corrections and Additions as were then agreed upon between them, and which are already mention'd under the ſaid Articles; both Charters bear one and the ſame Date, *viz.* the Twenty fourth of *October*, with the Atteſtation of *Androine* Abbot of *Clugny* the Pope's *Nuncio*, that they were deliver'd in his Preſence; the Original of which under the Seal of the King of *France*, is ſtill preſerv'd in a great Cheſt in the Chapter-houſe at *Weſtminſter*, and which you may find Printed in *French* in Dr. *Brady*'s * Appendix to his laſt Volume; but the Counter-part of it, which was ſeal'd by the King of *England*, concludes with this remarkable Addition:

* N. 93.

The remarkable Concluſion of theſe laſt Charters.

“ And We the King of *England* aforeſaid, having ſeen and conſi-
“ der'd the ſaid Treaty, made in our Name and for the benefit of
“ Peace, for as much as it concerns Us to Agree unto, Ratify, Con-
“ firm and Approve all things above-written, We *by Our Royal*
“ *Authority, with the Deliberation, Counſel and Conſent of ſeveral*
“ *Prelats and Men of Holy Church, as alſo Dukes, Earls, as well of*
“ *Our Linage as Others, with many Peers of* England, *as of other*
“ *great Barons, Nobles, Burgeſſes, and other Subjects of Our Realm,*
“ *do conſent to and confirm the ſaid Treaty, and all things therein con-*
“ *tain'd.* And We ſwear upon the Body of *Jeſus Chriſt*, in the
“ Word of a King, for Us and Our Heirs, to Obſerve, Accom-
“ pliſh and keep it without ever doing any thing to the contrary
“ by Our Selves or others: and that We may firmly and perpetually

" maintain and keep the things above-ſaid, and every of them, We " bind our ſelves, our Heirs, our Goods preſent and to come, and " our Succeſſors and their Goods, and ſubmit our ſelves, our Heirs " and Succeſſors in all things to the Juriſdiction and Coercion " of the Church of *Rome*; willing and conſenting that our Holy Father the Pope confirm all theſe things, by giving general Monitions and Commands for the accompliſhment of them, againſt Us, " our Heirs and Succeſſors, and againſt our Subjects, Communities, " Colleges, Univerſities, or particular Perſons whatſoever, in pronouncing Sentences general of Excommunication, Suſpenſion and " Interdicts, to be incurred by Us and our Heirs, for that Deed; " ſo ſoon as We or They ſhall attempt, or ſeize on any Fortreſſes, " Towns, Caſtles, or other things whatſoever, or by doing, ratifying or agreeing unto any thing contrary thereunto, or by giving " Counſel, Favour, Comfort or Aid, either ſecretly or openly, contrary to the ſaid Peace: From which Sentences none are to be abſolved, until they have given full ſatisfaction to all thoſe that ſhall " ſuſtain Damage by ſuch Practices. And further, that this Peace " may be the more firmly kept for ever, We will and conſent, that all " Agreements, Confederations, Alliances and Covenants, whatſoever " they may be termed, that are any ways prejudicial to the ſaid " Peace at preſent, or hereafter, whether they are confirmed by Penalties, or Oath, or ratified by the Authority of our ſaid Holy " Father the Pope, ſhall be caſſated and made null and void, as diſpleaſing to God, and the Weal of the publick Peace, ſo profitable " to all Chriſtendom: And all Oaths made in ſuch caſe ſhall be releaſed, and our ſaid Holy Father ſhall thereupon decree by his " Letters, that no man ſhall be bound to keep ſuch Oaths, Alliances, " or Covenants, and ſhall prohibit that no ſuch or the like be made " for the future; and if any one ſhall attempt or do to the contrary, " it ſhall at that very moment be null and void. And the King further threatens to puniſh all ſuch Violators of the ſaid Peace in their Bodies and Goods, as the Caſe and Reaſon ſhall require: and then further concludes with this remarkable Clauſe.

" And if We ſhall do, procure, or ſuffer any thing to be done to " the contrary (which God forbid) We will be held and reputed for " unfaithful and perjur'd, and will incur ſuch Blame and Infamy, as " an anointed King ought to incur in ſuch caſe: And further We will " cauſe all the Matters and Things aboveſaid, to be ſworn unto, kept " and obſerv'd by our moſt Dear and Eldeſt Son the Prince of *Wales*, " and our younger Sons *Lionel* Earl of *Ulſter*, and *Edmund* of *Langley*, and our Couſin Monſieur *Philip de Navarre*, the Dukes of *Lancaſter* and *Bretagne*, the Earls of *Stafford* and *Salisbury*, the Lord " *de Manny*, *Guy de Brian*, *Reginald de Cobham*, the Captal *de* " *Buche*, the Lord of *Montferrat*, *James Audely*, *Roger de Beauchamp*, " *Ralph Ferrars* Captain of *Calais*, *Euſtace d'Ambreticourt*, *Frank van* " *Hall*, *John de Moubray*, *Henry de Piercy*, *Nicholas de Tamworth*, " the Lord of *Gominges*, *Richard de Stafford*, *William Grandiſon*, " *Ralph Spigurnel*, *Gaſton de Greyly*, and *William Burton* Knights: " And will alſo cauſe to be ſworn in like manner to the ſame, ſo ſoon " as We can, our other Children, and the greateſt part of the Prelats of the Church, and the Earls, Barons and Nobles of our

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“ Realm. Given at our Town of *Calais*, under the Teſtimony of our Great Seal, the *24th* of *October* in the Year of Grace 1360.

The uncorrected Articles are alſo preſerv'd, together with K. John*'s Oath to obſerve them,* &c.

And there are alſo preſerved in the ſame Place the like Articles uncorrected, which the King of *France* deliver'd to King *Edward* on the ſame day with the former, and with the like Atteſtation of the Abbot of *Clugny*, that it was done in his Preſence, as alſo King *John*'s Oath contain'd in divers Articles, for obſervation of the ſaid Treaty, which are indeed ſhort Heads of the Treaty it ſelf. This is dated at *Calais* on the ſame day with the former; and beſides theſe there are Articles of Agreement under their Seals between the ſaid Kings, for the mutual delivery of the Countries, Caſtles, Towns and Places therein nam'd, according to the Treaty of *Bretigny*, eſpecially as to the *29th* Article thereof: but the *7th*, *11th* and *12th* Articles are omitted in this Agreement, which King *Edward* was hereby to deliver to King *John*, at or before *Candlemas* day next enſuing, at the Place therein mention'd, who was to do the like within one Month after, as to the Countries, Cities and Towns which He was to ſurrender up on his part. There are alſo contain'd in this Inſtrument the Hoſtages Names, that were to be deliver'd on either ſide for the performance thereof, with the Names of ſuch Noblemen as ſwore to it on the behalf of the King of *France*. This is alſo dated at *Calais* the Day and Year laſt mention'd.

The ſame Treaty again confirm'd by the French *King at* Boulogne.

But yet all theſe Inſtruments thus ſeal'd at *Calais*, were not thought ſufficient; for when King *John* was come to *Boulogne*, and at liberty, the ſame Treaty (atteſted as before) was again confirm'd by Him and his Son the *Dauphin*. Theſe Articles are without any correction, and drawn up as the reſt by way of Charter, at the end of which follows the enſuing Clauſe.

“ And whereas ſeveral Articles of the ſaid Accord have been ſince corrected at *Calais* in divers places for the Renunciations which were to be made by one Party and the other according to the ſaid Treaty, were not made purely and ſimply, We (*viz.* King *John*) * being then at *Calais*, do now make it known, that We will agree, and are pleaſed, that after certain Ceſſions, † Renunciations, Tranſlations and Releaſes ſhall be made by one Party and the other, and be ſent and deliver'd at *Bruges*, as is contain'd in certain Letters made about this matter, ſeal'd with the Seals of Us and our ſaid Brother: That the ſame Articles, as they were paſſed and agreed at *Bretigny*, and as they are above recited, ſhall be given and deliver'd to our ſaid Brother, ſeal'd with our Seal, and that of our moſt dear eldeſt Son *Charles* Duke of *Normandy*, and *Dauphin* of *Vienne*; and this We promiſe to give and deliver at *Bruges*, within one Year after the Feaſt of St. *Andrew* next coming (that is, in 1361.) in caſe that our ſaid Brother ſhall ſend Us the Renunciations which He is to make on his part, and deliver them to Us or our People at the Place aforeſaid, as alſo Letters containing the Tenors of the ſaid Treaty, ſeal'd with his Seal, and with the Seal of our Nephew his Son: And We will the things aforeſaid being ſo done and accompliſhed, as above has been agreed, that then the ſaid Articles (as above incorporated in this Inſtrument) ſhall remain in force, and have the ſame effect for one Party and the other, as if they had not been corrected: And we promiſe truly in good

* i. e. *A Priſoner, and not in his Power.*

† i. e. *The renouncing of all Right to the Homage and Sovereignties in the Territories ſo to be deliver'd.*

“ faith,

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“faith, and ſwear, *without deceit*, to keep, obſerve and accompliſh whatever is aboveſaid: In witneſs whereof We have put our Seal to theſe Letters. Given at *Boulogne* upon the Sea, the *26th* of *October*, in the Year of Grace 1360. And then follows his Son's Confirmation and Oath in theſe words: “And We will with all our Power obſerve and accompliſh all that our Lord and Father hath promiſed and covenanted, engaging truly and in good Faith, and have ſworn upon the Holy Body of Jeſus Chriſt, to hold and accompliſh (as much as ſhall or may concern Us) all and every of the things, as written in the Letters aboverecited, and according to the Manner and Form therein compriſed, without doing or cauſing to be done, any thing to the contrary, any ways for the time to come. In witneſs whereof we have cauſed our Seal to be put to theſe Letters. Given at *Boulogne* the 26th of *October*, in the ſaid Year of Grace 1360.

Par Monſieur le Duc.

This Inſtrument is thus ſubſcribed, becauſe *Charles* Duke of *Normandy* did hereby join with and confirm his Father's Grant, as appears by the Original with the Duke's Seal of green Wax hanging thereunto, which is preſerved in the ſame Box and Place above-mention'd; as is alſo this King's Confirmation of the Articles of the ſaid Treaty, as they had been corrected at *Calais*, which is likewiſe dated at *Boulogne* the ſame day with the former, having a like Seal hanging to it by Strings of green and red twiſted Silk. There is alſo the Charter of the intended Renunciation or Inſtrument made by King *John*, wherein, beſides a recital of the Cities, Caſtles, Lands and Territories that were to be delivered and made over to the King of *England* by the Treatys above-mention'd, and which the *French* King thereby promiſes to cauſe to be delivered within one Year, to be reckon'd from *Michaelmas* next enſuing; He there further engages Himſelf and his ſaid Son to renounce all his Right and Title in and to the ſaid Places and Territories, with all the Sovereigntys and Reſorts thereunto belonging, according to the purport of the Treaty of *Bretigny*. This is without any correction of the *7th*, *8th*, and *11th* Articles, which are there intirely recited; but the *12th* Article is wholly omitted. Dated alſo at *Boulogne* the *26th* of *October*, *A. D.* 1360. with his Seal affixed, and ſigned, *Le Roy*.

The effect of the Inſtruments of Renunciation to be made by both Kings.

There is likewiſe another Inſtrument of an intended Renunciation made by the ſame King concerning the ſame Tranſlation, or making over to King *Edward* the ſeveral Places and Territories therein mention'd, together with their reſpective Homages and Sovereignties, and wherein the *11th* and *12th* Articles of the Treaty of *Bretigny* are alſo inſerted. This being dated at *Calais*, is longer and more particular than the former; and from the *French* Word *Ceſtaſſavoir*, with which the Promiſe of the ſaid future Renunciation and Ceſſion of the Premiſes begins, is call'd the Renunciation of *Ceſtaſſavoir*, to diſtinguiſh it from the former, which was made more ſimply and abſolutely; but both of them begin with the ſame words, *viz.* John *by the Grace of God King of* France, *to all thoſe to whom theſe Letters ſhall come*, *Greeting*, &c. But the Charter laſt mention'd (being, I ſuppoſe, ſeal'd after the other) proceeds to a recital of the main deſign of it, in theſe words:

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We let you know, that We have promiſed and do promiſe to deliver or cauſe to be delivered really and indeed, to our Brother the King of England, *or his Deputies on his behalf, at the Friers* Auguſtins *in the Town of* Bruges, *upon the day of the Feaſt of St.* Andrew, *within one Year next enſuing, Letters ſeal'd with our Seal of Green Wax, in caſe that our ſaid Brother and dear Nephew his eldeſt Son, ſhall make the Renunciation which they ought to do on their part, and ſhall then deliver them to our People or Deputies, in the manner by which they are ſo obliged by certain Letters,* the Tenor of which are word for word as before. Then follows a recital of the principal Articles of the Treaty of *Bretigny*, which begins by way of Charter, *John* King of *France*, &c. directed to all Arch-Biſhops and Biſhops, and the ſeveral Eſtates of *France* therein expreſly mention'd, which need not be here repeated. Then it proceeds to recite the ſeveral Cities and Territories, together with their Homages, which were to be deliver'd and made over by that Treaty, and as are there particularly ſet down: And for the obſervation and accompliſhment of the Premiſes, the ſaid King thereby obliges Himſelf and his Heirs, to the King of *England* and his Heirs, by an Oath taken upon the Holy Evangeliſts: And therein further wills, that in caſe his ſaid Brother and Nephew ſhall make the ſaid Renunciations ſo ſent and deliver'd as abovemention'd, * that the Letters aboveſaid ſhould be deliver'd to his ſaid Brother at the Time and Place, and according to the Form already mention'd, and that then and from thenceforth theſe preſent Letters, and all things therein contain'd ſhall have the ſame force and effect as his other Letters or Charters, which had been by Him promiſed to be deliver'd, as hath been already recited. Then it concludes with another very remarkable Clauſe to this effect: Always provided nevertheleſs, and it is hereby reſerved to Him, his Heirs and Succeſſors, that the ſaid Letters above, into the Body of theſe incorporated, ſhall not have any effect, nor bring any damage to Him and his Heirs, until his ſaid Brother and Nephew ſhall have made the ſaid Renunciations ſent and deliver'd in manner aboveſaid; and that they ſhall not help them againſt Him and his Heirs, unleſs in caſe abovemention'd. In teſtimony of which He cauſed his Seal to be put to theſe preſent Letters. Given at *Boulogne* the 26th day of *October*, in the Year of Grace, 1360.

** Note, this muſt refer to King* John's *own Letters or Charters, as appears by what follows.*

The Charters of Renunciation ſeal'd by both Kings.

And that neither of theſe Kings might gain any advantage over each other by theſe intended Inſtruments of Renunciation, the like Charter or Letters, *mutatis mutandis*, were likewiſe ſeal'd by the King of *England*, for Himſelf and his Heirs, to the King of *France*; "whereby King *Edward* was to renounce all things that were not to "be deliver'd to Him by this Treaty, to wit, his Right and Title to "the Crown of *France*, and to the Sovereignty and Dominion of "the Dutchies of *Normandy* and *Tourain*, to the Earldoms of *Anjou* "and *Maine*, as alſo to the Sovereignty and Homage of the Dutchy "of *Bretagne*, and Earldom of *Flanders*, with all other Demands, "which He then made, or might make hereafter, upon his ſaid "Brother of *France*, for all matters except thoſe already excepted, "and which were to remain to Him and his Heirs by virtue of the "ſaid Treaty. Then it ends with the ſame Clauſes as that of the *French* "King's laſt mention'd, concerning what effect theſe preſent Letters

“ ſhould have in caſe the intended Renunciation was made by the King of *France*, but ſhould not be deliver'd according to the Form already preſcribed; as alſo that like remarkable Proviſo, that theſe preſent Letters were to be of no effect, unleſs King *John* and his Son the Duke of *Normandy* ſhould ſend their Renunciations to the Place already expreſs'd, *viz.* the *Auguſtin Friars* at *Bruges*. This Letter or Charter of King *Edward* is a Counter-part, and is almoſt in the very ſame words with that made by the King of *France* to Him; and is neither mention'd by Dr. *Brady* in his Hiſtory, or Appendix, becauſe being deliver'd for that King's uſe, it is not to be found at *Weſtminſter* amongſt the reſt of the Inſtruments relating to that Affair; but it is very probable that the Original of this Charter of King Edward's is ſtill preſerv'd in the King of *France*'s Treaſury or Archives at *Paris:* For I find an authentick Copy of it ſet down at large in the Manuſcript * Chronicle of *St. Denis*, and alſo in the Lord Biſhop of *Salisbury*'s fair Manuſcript Copy of all the Treaties, Charters and Inſtruments that were made by the Kings of *France* and *England*, and the Princes their Sons, relating to this Treaty; all which are there fairly enter'd at large.

* In Officio Clerici Civitat. Lond.

I have been the more exact in the relation of this Affair concerning the mutual Renunciations that both Kings were obliged to make in the Manner and at the Place already mention'd, becauſe that by reaſon of the Non-delivery of the above-mention'd Renunciations by King *Edward* at *Bruges* on the Day appointed by the laſt Clauſe in the ſaid Charter, the Duke of *Normandy*, when He came to be King of *France* by the Name of *Charles* the Fifth, made it ſome Years after one of his main pretences, that the Articles of this Peace, and the Renunciation, having been never duly executed and obſerved by King *Edward* within the Time, and at the Place therein limited, this whole Treaty and all things following thereupon were become void and of none effect, as you will find hereafter, and therefore were not to be any longer obſerv'd by Him the King of *France*. Tho thus much in certain we find, by a [1] Commiſſion dated the fifteenth of *November* the Year following, that King *Edward* had then appointed certain Commiſſioners to go over to the King of *France*, by whom He offer'd Him to ſend to *Bruges* within the time appointed, all the Renunciations, Ceſſions and Releaſes, which had been agreed on to be ſent thither (as has been already related) provided He would do ſo likewiſe. But what was done in perſuance thereof, or whether they were ever ſent to *Paris* or not, I do not find; nor can I ſay which of theſe Kings were in the fault, that the ſaid Renunciations were never made, nor ſent to *Bruges*, according to the above-mention'd Agreement; only the *French* King took the advantage, as we have already mention'd.

The Advantage made by the Dauphin, *when he came to be King, by reaſon of K.* Edward*'s not delivering his Charter of Renunciation at* Bruges, *according to this Agreement.*

[1] Rot. Fran. 25 Ed. 3. m. 3.

What K. Edward *did in perſuance of this Charter of Renunciation.*

And I cannot but further obſerve, that there being three ſeveral Copies of this Treaty, ſign'd and ſeal'd by both Kings at *Calais* and *Boulogne* in three days time, which are ſomewhat different from each other by reaſon of the ſeveral Corrections and Omiſſions; as alſo two ſeveral Letters of *Renunciation* drawn up in divers Forms (as has been already ſaid) theſe afterwards proved freſh Cauſes of Quarrel and Diſpute, ſince each of theſe Princes alledging and making uſe of the different Copies of this Treaty and intended *Renunciations*, according as beſt ſerved their preſent turns, neither of them indeed being ſo ſtrict and juſt in obſerving the true intent and tenor of the Articles, as they ought to have been.

K. Edward *entertains* K. John *before he left* Calais.

K. John *goes to* Boulogne.

Where he again confirms the Treaty, upon which K. Edward *leaves off the Title and Arms of* France.

All theſe [1] Inſtruments above-mention'd being finiſhed and ſeal'd on both ſides, and the four hundred thouſand Crowns, part of the *French* King's Ranſom, actually paid, and Hoſtages given for the remainder (as has been already ſaid) King *John* was to have his Liberty; when the Evening before King *Edward* made a magnificent Entertainment for Him in the Caſtle of *Calais*, where the Black Prince, and his three Brethren *Lionel*, *John* and *Edmund*, with the greateſt Lords and Barons of *England*, ſerved the two Kings at Table, who ſome time after Supper [2] bid each other a good night, K. *Edward* remaining in the Caſtle, and King *John* going to his Lodging in a Houſe which had been provided for Him in the Town; and [3] being now at liberty, the next day (*viz.* the twenty fifth of *October*) He with all thoſe who were to go with him, left *Calais*, and rode towards *Boulogne* in the Afternoon, King *Edward* Himſelf accompanying him a Mile onward of his way; and then the two Kings paid their laſt Civilities to each other with kind Embraces, King *Edward* returning to *Calais*. But [4] ſo ſoon as He was out of ſight, King *John* quitted his Horſe, and would needs go by way of Pilgrimage on foot to our Lady of *Boulogne*, there to pay his thanks for his Delivery, the Prince of *Wales* and two of his Brothers *Lionel* and *Edmund* attending Him. Then the day following the King of *France* again ſeal'd the ſeveral Charters of the Peace and Renunciations, being thoſe already mention'd, bearing date at *Boulogne*, the Originals whereof are ſtill preſerv'd: After which the Prince of *Wales* and his Brethren took their Leaves of Him, and return'd back to *Calais* the ſame day.

The King returns into England.

So ſoon as King *John* had thus executed his part of the Treaty, King *Edward* thereupon left off the Title and Arms of *France*, nor did He reaſſume them till the War again broke out between the two Crowns, as you will find hereafter. And [5] having now happily finiſhed his Deſigns, He on the laſt of *October* went on board, and ſet ſail for *England*, with the Princes his Sons and the Hoſtages of *France* in his Company, being thirty of thoſe forty mention'd in the ſeventh Article of the Treaty, and of which number were the *French* King's three younger Sons. On the firſt of *November* early in the Morning, the King landed with all his Company at *Dover*, and two days after went to *Canterbury*, where He made his Offerings at the Shrine of St. *Thomas Becket*, and return'd his thanks to God for bringing his Wars to ſo happy a Concluſion; but He came not to *London* till the ninth of the ſame Month, [6] at which time He gave command to all his Officers, that on pain of his high Diſpleaſure they ſhould treat the Princes and Lords of *France* his Hoſtages with all due Reſpect and Kindneſs, and ſecure them from all Affronts and Injuries; ſo that being Priſoners on their Parole, they now took their liberty to uſe all manner of Field-ſports, as well as domeſtick Diverſions.

I have nothing elſe of publick concern to take notice of under this Year, but to give you an account of the Deceaſes of ſeveral Perſons of great Quality, the firſt of whom was *John de Vere* Earl of *Oxford*, High Chamberlain of *England*, who died on the four and twentieth of *January* in the Camp before *Rheims*. The ſecond was [1] *William Bohun* Earl of *Northampton*, one of the firſt Knights of the Garter, whom King *Edward* had made great uſe of in his Wars with *France*, and was younger Brother to *Edmund* Earl of *Hereford* and *Eſſex*: And on the ſecond of *December* died that valiant Warrior, Sir *John Beauchamp*, younger Son to the Earl of *Warwick*, Lord Warden of the Cinque-Ports, and alſo one of the firſt Knights of the Noble Order laſt mention'd: He was buried in the Choir of St. *Paul's* under a magnificent Monument, which was afterwards erroneouſly taken for that of *Humphry* Duke of *Gloceſter*, who was many years after murder'd and buried at *St. Albans*. And here we ſhall put an end to this Year, which was one of the moſt fortunate and glorious of this King's Reign, by reaſon of thoſe honourable and advantageous Terms He had by the late Peace obtain'd from the King of *France* and his Son *Charles* Duke of *Normandy*, had they been as faithfully perform'd, as they were well drawn up and intended.

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[1] Rot. Franc. 34 Ed. 3. m. 3.

[2] Du Cheſne ibid.

[3] Fab. Chron. p. 243.

[4] Froiſ. ib.

[5] Fab. p. 244.

[6] Froiſ. c. 113.

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The Deceaſe of divers Perſons of Quality this Year.

[1] Dug. Baron. Vol. I. p. 193.

[2] Ib. p. 186.

King *Edward* [3] having kept his Chriſtmas in great Splendor at *Woodſtock*, went after the Holidays to his Parliament (which He had [4] ſummon'd to meet Him at *Weſtminſter* on the Sunday before the Converſion of St. *Paul*, or about the twentieth of *January*, where He communicated to them all the Articles of the Peace which He had made with the King of *France*, and both Houſes were entirely ſatisfied with the whole Affair; and on the laſt day of this month, the Arch-Biſhop of *Canterbury* with great Solemnity celebrated High Maſs, after which the King and his Sons ſtanding up in the Preſence of the *French* Hoſtages, Torches being lighted and held over the Euchariſt, all thoſe Peers who had not ſworn already to keep and obſerve the Peace, then took their Oaths upon it, which they read from certain Papers or Scrolls, the Arch-Biſhop beginning thus: *We* Simon *Arch Biſhop of* Canterbury, *do ſwear upon the Holy Body of our Lord and his Holy Goſpels, firmly, as much as in us lies, to keep this Peace and Concord agreed between the two Kings, and to do nothing contrary thereto.* And then both Kings ſent Ambaſſadors to the Pope at *Avignon*, for his Sanction and Confirmation thereof. And to ſay ſomewhat more concerning King *John*, [5] after He had ſtaid ſome time at *Amiens*, He went on St. *Thomas's* Day to the City of *Paris*, where He was joyfully received by all the Inhabitants, after the diſcharge from his long Impriſonment of four Years, one Month, and ſome odd days; and there He received the Congratulations of all the Lords and Peers of the Kingdom, and cauſed them to take the ſame Oath as He himſelf had done, to maintain the Treaties of *Bretigny* and *Calais*. And beſides all theſe, there was likewiſe another [6] Charter or Inſtrument mutually ſeal'd and deliver'd by both Kings to each other, whereby they made a ſtrict League of Friendſhip and Alliance, for themſelves their Heirs and Succeſſors, againſt all Perſons whatſoever, the Pope and the Emperor excepted; and they alſo renounc'd all Wars againſt each other, and their Heirs, &c. and their Realms and Subjects. This both Kings and their eldeſt Sons alſo ſeal'd, and divers of the Nobility of both Nations were ſworn to obſerve it. This bears date the ſame day with the former: and then alſo a [7] Proclamation was iſſued by King *Edward*, to *Thomas* Earl

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The King holds a Parliament, to whom he communicates the late Treaty, which is approv'd by them.

[3] T. W.

[4] Rot. Clauſ. 34 Ed. 3. m. 4. Dorſ.

[5] Froiſ. c. 214.

[6] Rot. Tract. Pac. Franc. m. 6.

[7] Ibid.

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Earl of *Kent*, and all other Captains of Towns, Caſtles, *&c.* held for the King in *France*, to give notice to all Places within their Commands of this Peace and final Accord between the two Kings.

[1] Id ib. Du Cheſne p. 693.

The King ſends Commiſſioners to take poſſeſſion of the Places to be deliver'd by the late Treaty.

Soon after this King [1] *Edward* ſent certain Commiſſioners into *France*, to take in his Name poſſeſſion of thoſe Countries, Cities, Towns, Caſtles, *&c.* that were to be deliver'd unto Him by virtue of the late Peace: But this matter was not ſo eaſily perform'd; for divers great Lords in *Languedoc* would not at firſt obey the *French* King's Orders, in yielding to hold their Seignories of the King of *England*; and of this ſort were the Lords that held Lands in the Marches of *Aquitain*, as the Earls of *Armagnac*, of *Foix* and *Perigort*, with divers other Lords that were reſolv'd ſtill to pay their Homage to, and own their Dependance on *France*; till the Lord *James* of *Bourbon* was ſent to them from the *French* King to perſuade them, and that they ſaw it was his abſolute Will and Pleaſure ſo to have them do, and then they ſubmitted to become Liegemen to K. *Edward*. The ſame Difficulty was likewiſe found in the Towns and Cities of *Poictou* near the Sea-Coaſt, and eſpecially in the City of *Rochel*, the People whereof were ſo averſe to it, that they would not yield for a good while to own the *Engliſh*; but excuſing themſelves to King *John*, offer'd rather to be taxed at half they were worth, than to be govern'd by a Stranger, which, they ſaid, was a thing inſupportable to all true *French*-men.

[2] Rot. Franc. 35 E. 3. m. 3.

He deſires a ſpeedy performance of the late Treaty.

When King *Edward* ſaw theſe Difficulties and Delays, He at the latter end of the Year [2] ſent Sir *Thomas Vedale*, and Mr. *Thomas de Dunclent* Licentiate in the Laws, his Envoys to the King of *France*, to deſire a ſpeedy performance of the Treaty of Peace, by cauſing to be deliver'd to Him or his Deputies all the reſt of the Countries, Cities, Towns, *&c.* which were not yet ſurrender'd, promiſing thereupon, that He would according to the late Articles ſend and deliver at *Bruges* on the day of St. *Andrew* next coming, his own and the Prince his Son's Letters of Renunciation, transferring all their Rights to the Caſtles and Territories that were to be deliver'd to the King of *France*; upon which Ambaſſy the ſaid King, in a little time after, caus'd all or moſt of the Places, that had hitherto ſtood out, to be deliver'd to the King of *England*'s Commiſſioners appointed for that purpoſe. By which means King *Edward* now became poſſeſs'd of the whole Dutchy of *Aquitain*, from the *Loire* to the *Pirenean* Mountains; and on this ſide towards *Picardy*, the Earldom of *Ponthieu*, the Town of *Calais*, and Territory of *Oye*, with the Town and Earldom of *Guiſnes*. Then [3] King *Edward* ſent over the Lord *Chandois* as his Lieutenant in the Dutchy of *Aquitain*, to take poſſeſſion of all thoſe Cities and Countries, which were to be deliver'd by the late Articles of Peace; and immediatly upon his arrival in thoſe Parts (having receiv'd them from the Lord *de Bourbon*) He appointed Bailiffs, Governors and other Officers, both Military and Civil, in all the Places and Towns ſo deliver'd, and received their Fealties and Homages, as alſo of all Lords and others that by this Peace were to hold of the King of *England*. After which the Lord *Chandois* reſided at *Niort* in *Poictou*, where keeping a Court like a Prince, he by his generous Carriage and winning Behaviour extremely gain'd the Hearts of all the Nobility and People of thoſe Parts, who were now become the King's Subjects.

[3] Rot. Vaſcon. 35 E. 3. m. 8.

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And if we look a little further back, we ſhall find that there were other Deputies appointed by King *Edward* to join with thoſe Commiſſioned by [1] King *John*, to deliver up unto Him all thoſe Towns, Caſtles and Territories, which were to be ſurrender'd back to the *French* King; and therefore theſe Commiſſioners order'd all the Officers and Soldiers of the Gariſons that were Subjects to, and had ſerved under King *Edward*, to be immediatly evacuated: upon which moſt of them readily obey'd, and ſurrender'd the Places that were in their hands for the uſe of the King of *France*; but ſome of the *Engliſh*, and many more that were Foreigners of *Germany* and the Low-Countries, with ſome *French* Rebels, refus'd to ſubmit to thoſe Orders, and being reſolved to maintain themſelves by War, pretended that they held thoſe Places in Right of the King of *Navarre*. To theſe I may alſo add a great number of Common Soldiers of all Nations, who being diſbanded, got together again, and joyn'd themſelves to the reſt, reſolving never to return to their former way of Living: theſe choſe themſelves new Captains, whoſe chief Qualities, beſides a brutiſh Courage, were Cruelty, Luſt and love of Plunder; ſo that by the beginning of the Spring this Year, they made up an Army of above Sixteen thouſand Men, part of whom ravaged *Anjou*, *Poictou* and *Tourain*, whilſt the Troops of thoſe whom they call'd the *Tard-venu*, (*i. e.* the late Comers) ſpoil'd the Countries of *Champaigne*, *Burgundy*, *Maſconnois* and *Lionnois*; and not long after they defeated in a ſet Battle at *Brignes* near *Lions*, the Lord *James de Bourbon*, who by the King's Orders had raiſed an Army to ſuppreſs them. And thus was the Kingdom of *France* this Year in as bad, if not a worſe Condition, than it was two Years ago, by the Inſurrections of the Peaſants, and the Devaſtations of the *Navarrois*, and thoſe other Troops called the *Companions*, who during the Truce continued the War in *France*, without King *Edward*'s Commiſſion.

[1] Froiſ. c. 214.

Deputies appointed to reſtore to K. John *all the Places to be ſurrender'd to him by the late Treaty.*

Which is refus'd to be perform'd by divers foreign as well as French *Soldiers.*

Who make up an Army, and ravage great part of France.

But I ſhall conclude this Subject with a ſhort Account of what became of theſe Soldiers of Fortune, [2] who dividing themſelves into two Bodies, one part of them marched towards *Avignon*, where, ſpoiling the Country, killing the Inhabitants and infeſting the Roads, they grew ſo formidable to the Pope, that He cauſed a Solemn *Croiſado* to be preached up againſt them; in which, tho many Men liſted themſelves under the Command of the Cardinal of *Oſtia*, yet when they found they were to fight without any pay, but only Pardon for their Sins, it was no wonder if that Expedition came to nothing: ſo that the Pope being much put to it, at laſt engaged the Marqueſs of *Montferrat* (who then was making War againſt the *Viſcounts* of *Milan*) to hire theſe Adventurers to aſſiſt Him in his Wars; [3] who treating with their Chief Captain, called Sir *John Hawkwood* an *Engliſh* Man, he agreed with the Marqueſs on conſideration of Sixty thouſand *Florins* of Gold to be divided among his Officers, and ſuch and ſuch Wages to be conſtantly paid to his Soldiers, to go along with Him into *Lombardy*, ſo that firſt there might be obtain'd from the Pope a full Abſolution for all the Miſchiefs they had already done; all which being agreed and perform'd, and the Mony paid down by the Pope, they deliver'd up all the Places they held in their hands, and left the Borders of *Avignon*, and went with the Marqueſs into *Italy*, to the great joy of the *French* King and all his Subjects. But before I

quit

[2] Mezeray ad hunc An.

An Account of what became of theſe Soldiers of Fortune.

[3] Id. ibid.

Sir John Hawkwood *and his Men being bought off, go to* Italy.

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[1] Weaver's Fun. Monum. p. 623. *A ſhort Account of this Perſon.* [2] Paul. Jovius Elogia Illuſtr. Viror. L. 2.

quit this Relation, I cannot but take notice, That this *Hawkwood* here mention'd, [1] was the Son of a Tanner in *Eſſex*, who being bound an Apprentice to a Taylor in *London*, quitted his Trade, and went over a Soldier into *France*, where he became ſo famous, that He was Knighted for his Valour, and going into *Italy* (as hath been already ſaid) [2] was ſo much in Favour with *Barnabo* Duke of *Milan*, that He gave him his Natural Daughter in Marriage. After the Duke's Death He ſerved the Common-Wealth of *Florence*, and perform'd ſuch great Actions for them, that dying in their Service, they erected a Noble Monument to his Memory in the Cathedral Church of that City, where his Statue on Horſeback is to be ſeen at this Day: He is called by the *Italian* Authors *Johannes Acutus*, or *de Acuto*, becauſe their Language doth not admit of *W.* and the *D.* is turn'd into a *T.* in the laſt Syllable of his Name. But to return to the Affairs of *England*.

[3] Mezeray ib. Mat. Villani L. 10. c. 45. *Another Plague which beginning in* France, *comes over hither, and takes off divers great Men.*

[4] Dugd. I. Vol. p. 789. *The Death of* Henry *Duke* Lancaſter.

This Year there fell out [3] another Plague, which beginning in *France*, went on to the Pope's Court at *Avignon*, and there raged with that violence, that there died within the Year no leſs than Nine Cardinals, and Seventy other Prelates; and in the City of *Paris* there periſhed above Thirty thouſand Perſons: and then getting over into *England*, it cut off many Thouſands, eſpecially in the City of *London*, where no leſs than Twelve hundred died on *Midſummer* Day and the Day following, without reckoning thoſe that died before or after that time; and beſides a great multitude of the common People, there died many Conſiderable Noblemen and Biſhops, the Chief of whom was [4] *Henry* Duke of *Lancaſter*, ſo often mention'd in our Hiſtory; a Perſon more remarkable for his great Valour, Prudence and Generoſity, than for his near Relation to the King; He fell very much lamented by all Men, and eſpecially thoſe of the Poorer ſort, by whom he was called the Good Duke. He was buried in the Collegiate Church of *Leiceſter*, which himſelf had founded for a Dean and twelve Chanons, where he alſo finiſhed a Noble Hoſpital for an hundred poor People, which ſtill continues, tho the College is demoliſhed, and the large Revenues taken away by K. *Henry* VIII.

[5] Id. ib. *His Iſſue.*

[6] Id. ib. p. 127. *The Deceaſe of the Lds* Mowbray *and* Cobham. [7] Id. II. Vol. p. 68. [8] Vide God. de Præſul. Stow p. 265. *The ſeveral Biſhops that died this Year.*

He [5] left behind him two Daughters; the Lady *Mathilda* the eldeſt, then about two and twenty years of Age, was married to *William* of *Bavaria* Son of *Lewis* the Emperour, Earl of *Holland* and *Zealand*, &c. but coming not long after her Father's Death into *England*, to take her ſhare of the great Eſtate he left between Her and her Siſter, She died here ſuddenly, of Poiſon as was ſuppoſed; ſo that the whole Inheritance fell to her only Siſter *Blanche*, Wife to the Lord *John* of *Gaunt*, who in her Right the year following was created Duke of *Lancaſter*. There alſo deceaſed [6] *John* Lord *Mowbray*, Father to the Firſt Duke of *Norfolk* of that Name; as alſo [7] the Lord *Reginald Cobham*, a Perſon much employ'd both in Civil and Military Affairs in this King's Reign, with ſeveral Barons of Note. There were alſo taken away Four Biſhops, [8] *viz. Michael Northborough*, Biſhop of *London*; *Reginald Brian*, Biſhop of *Worceſter*; *Thomas Lyſle*, Biſhop of *Ely*; and *Robert Stratford*, Biſhop of *Chicheſter*; to whom we may likewiſe add an *Iriſh* Arch-biſhop, *Richard Fitz-Ralph*, Biſhop of *Armagh*, and Primate of *Ireland*, that great Scholar above-mention'd, who was of ſo famous a Reputation for his Learning and integrity of Life: He died this Year at *Avignon*.

I find but one Tranſaction ſavouring of any Joy or Gallantry all this Year, and that was towards the latter end of it, [1] when *Edward* the Black Prince (being in the One and Thirtieth Year of his Age) with the King his Father's Conſent, married *Joane* Counteſs Dowager of *Kent*, [2] Widow of the late Earl *Thomas Holland*, who died about the end of the laſt Year: She had been betrothed to *William* Earl of *Salisbury*, from whom by reaſon of a Pre-contract with the Earl of *Kent*, She was ſolemnly divorced by the Pope's Sentence; She had by her laſt Husband two Sons, *Thomas* Earl of *Kent*, and *John* Earl of *Huntington*, afterwards Duke of *Exeter*, being advanced to that Dignity by King *Richard* the *Second*, his Half Brother.

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[1] Sandford's Gen. Hiſt.

[2] Dugd. I. Vol. p. 75.

Prince Edward *marries the Counteſs of* Kent.

This Year alſo Prince *Lionel* the King's Second Son (and in Right of his Wife, Daughter to *William de Burgh*, Earl of *Ulſter*) was by his Father's † Commiſſion appointed Lieutenant of *Ireland*; in which Charge he carried ſo ſtrict a hand immediatly upon the Natural *Iriſh*, that He forbad them approaching his Court, or ſo much as bearing Arms in his Service; which the Ordinary People ſo much reſented, that tho He ſubdued *O-brian* Prince of *Conaught*, yet they made a ſhift to murther an hundred of his Men in one Night in their Quarters. This being ſuppos'd to proceed from the late harſh Decree made againſt them, it was immediatly revoked; and the Natives of *Ireland* being reſtored to the ſame degree of Favour, as they had enjoy'd under former Governours, He ſo won upon the Affections of that turbulent People, that they yielded a willing Obedience to Him, and the Affairs of that Country proſpered during the reſt of his Government.

† Rot. Pat. 35 E. 3. P. 2. m. 10.

Prince Lionel *is made Lieutenant of* Ireland.

As for Eccleſiaſtical matters, I can find none of any great moment, but that upon the firſt News of the Concluſion of the Peace between the two Kingdoms, [3] Pope *Innocent* ſent his Letters to King *Edward*, bearing date *Prid. Non. Julii, An. Pontif.* 8°. wherein He expreſſes his Joy for the happy proſpect of a laſting Peace, and quickens the King to a ſpeedy Conſummation of that Affair, and that He would ſhew himſelf not only willing, but eaſy and liberal, as to the Ranſom of the King of *France*. The Wars between *England* and *France* being now ended, [4] King *Edward* was pleas'd to reſtore by his Letters Patents unto the Priors-Aliens their Houſes, Lands, &c. which Three and twenty Years before He had confiſcated to his own uſe; of which I ſhall ſay no more, but that in the Reign of King *Henry* the Fifth theſe Priories were wholly diſſolved, and their Lands beſtowed by that Prince and *Henry* the Sixth his Son, on certain Colledges in *Oxford* and *Cambridge*, or elſe to other Monaſteries.

[3] O. Raynold. ad hunc An.

[4] Stow Chron. p. 365.

King Edward *reſtores the Lands to the Priors Aliens.*

The beginning of this Year was remarkable [5] for a prodigious Tempeſt that threw down a great many Towers, Steeples and other ſtrong Buildings; and not long after the King received certain Ambaſſadors from the Kings of *Cyprus* and *Armenia*, who came to deſire his Aſſiſtance againſt the *Saracens*, with whom they were at War. The King for the Diverſion of theſe Strangers, as alſo of the Princes and Noblemen of *France*, who were at that time his Hoſtages, on the Firſt of *May* began a [6] Royal Juſting or Tourneament in *Smithfield*, which was held for five Days together; the King Himſelf, the Queen, and their Children being preſent, with moſt of the Nobility of *England*, and thoſe Princes and Ambaſſadors above-mention'd.

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[5] T. W. ad hunc An.

A prodigious Tempeſt.

The Kings of Armenia *and* Cyprus *ſend Ambaſſadors to* K. Edward.

[6] Stow's Survey of *London*, p. 421.

Some-

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[1] T. W. H. K. ad hunc An.

The K. makes Pr. Edward *Duke of* Aquitain.

Sometime after this, the King was adviſed by his Council, that ſince the Prince of *Wales* was now married, and in the prime of his Years, He [1] ſhould confer upon Him the Dutchy of *Aquitain*, to be held by Homage of the Crown of *England*: for tho the Lord *Chandois* governed that Country with great Honour and unſpotted Integrity, yet becauſe the Nobility and People of that Province did very much deſire the Prince's Preſence among them, it was thought fit to comply with ſo reaſonable a Requeſt; whereupon in perſuance of it, King *Edward*, being in full and peaceable poſſeſſion of all *Aquitain* by the late Peace and Agreement with *France*, did by his Royal Charter grant and make over to his Son the Pr. of *Wales* all the Land of *Guienne* and *Gaſcoigne*, by the Name of a Principality, for his Life, in which Charter He created Him Prince of *Aquitain*. He alſo granted Him thoſe other Caſtles, Towns and Counties in *Poictou*, *Xaintonge*, *Angoulmois*, *Agenois*, *Limoſin*, *Quercy*, *Rovergne*, and all other Places on the Borders of *Gaſcoigne*, which by virtue of the Peace were to fall to King *Edward*, reſerving the power of erecting *Guienne* into a Kingdom, and retaining the Reſort and Sovereignty both over that Principality, and the reſt that went along with it, to Himſelf. This Charter was dated the Nineteenth of *July* 1362, being the Thirty ſixth of *Edward* the Third. But beſides this Charter of Donation and Creation, there was another bearing date the ſame day, of Explanation, whereby the King more particularly declar'd the Senſe of his Reſervation of the ſaid Reſſort and Sovereignty, and beſides the Tribute of an Ounce of Gold yearly payable to Him by the Prince, at his Palace of *Weſtminſter* on *Eaſter*-day; the Charter of Creation is incorporated in that of Explanation, and on the Margin of the Roll it is entred thus, *Pro* Edvardo *Principe Aquitaniæ & Walliæ*. The Charter of Explanation is in *French*, and that of Creation in *Latin*, both which may be found at large in [2] Mr. *Selden*'s Titles of Honour, where the Reader may ſee it tranſcribed from the [3] *Rolls* in the *Tower*; as alſo in *Engliſh* in Mr. [4] *Barnes*'s Hiſtory. When the Prince had done Homage to the King his Father, and received his Charter, He prepar'd all things for his Voyage into *France*, which, for that He did not go over before the next Year, I ſhall forbear any further mentioning it, till I come to its proper place and time.

The Effect of it, and the Countries which he was to enjoy thereby.

[2] Ch. 3. p. 487.

[3] Rot. Vaſcon. 36 E. 3. M. 18. n. 17.

[4] P. 620, 621.

A [5] few Months after, *viz.* on the Thirteenth of *October*, King *Edward* held a Parliament at *Weſtminſter*, the cauſes of this Aſſembly [7] were declar'd by the Lord Chief Juſtice Sir *Henry Green*, to be for redreſs of Matters relating to the Church, for obſervation of the Peace, for ſettling Affairs with *Scotland*, and enhancing the Price of Wool; all which were then very well order'd, as may be ſeen in the Records and Printed Statutes of this Year. Alſo the Staple of Wools was appointed, tho not by an expreſs Statute, yet with the conſent of both Houſes, to be removed from *London* to *Calais*; for we find in the Records, that the Lords being ask'd their Opinions concerning the repair of the Merchants to *Calais*, their Anſwer was, That they thought it might be profitable for the Realm; the *Commons* indeed demur'd at firſt, till they could confer with the Merchants about it, but at laſt they comply'd with the Lords: and ſome time after (as * *Knyghton* relates) the King ſent over Six and twenty of the moſt conſiderable Merchants of the Realm, to hold the *Staple* there for three years, and to keep and defend the Town, every Merchant having a Guard of Six Men

[5] T. W. Rot. Clauſ. 36 E. 3. m. 16.

[6] Rot. Parl. 36 E. 3. n. 2. Cot. Abridg. p. 92.

A Parliament held at Weſtminſter, *with the cauſes of it.*

* Col. 2626.

The Staple of Wool is ſettled at Calais.

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Men at Arms and Four Archers at the King's Charges: and beſides the Mayor of the Town, He alſo appointed another to be over the *Staple*, the King being to receive for Cuſtom Twenty Shillings, and the aforeſaid Merchants and Wardens of the Town Forty Pence more upon every Sack of *Wool* there bought. This I mention here, tho it was not put in Execution until the Year following; and ſince this was done by *Aſſent* of *Parliament*, methinks *Walſingham* hath no juſt cauſe to blame the King as he doth, for removing the *Staple* to *Calais*, as contrary to his Oath. In this Parliament alſo was paſſed that Remarkable [1] Statute which ordains, That all Pleadings and Judgments in the Courts of *Weſtminſter*, ſhould be for the future in *Engliſh*, whereas before they were wont to be in the *French* Language. Then [2] on the laſt Day of the Parliament's Sitting, the Petitions of the Commons being granted, they unanimouſly gave the King Six and twenty Shillings and eight Pence on every Sack of *Wool* for three Years, beſides the former Subſidy of * Wool-fells and Skins.

All Pleadings now ordain'd to be in Engliſh.

On the laſt Day of their Meeting, the ſaid Sir *Henry Green* declar'd, That the King being now arriv'd to the Fiftieth Year of his Age, intended to keep it as a *Jubile*, and to ſhew ſeveral Acts of Grace and Mercy to his People; and therefore granted his General and Special Pardon to all, without Fine or paying of Fees for the Seal; and that He ſet all Debtors to the Crown, and Priſoners for Criminal matters at Liberty. In this Parliament alſo the † King by the ſaid L. Chief Juſtice, declared his Second Son *Lionel*, Duke of *Clarence*, which Title He took in Right of his Wiſe, who was deſcended from the Earls of *Clare*, a Town and Caſtle in *Suffolk*. The King likewiſe further declar'd his Son *John*, Duke of *Lancaſter*, in Right of his Wiſe (as hath been already mention'd) and at the ſame time *Edmund* the King's Fifth Son, was created Earl of *Cambridge*. So the King, having paſſed ſeveral Statutes that were very beneficial to the Nation, and perform'd ſeveral Acts of Grace, as you have already heard, diſſolv'd the Parliament after it had ſat about a Month.

The King grants a General Pardon.

He makes his younger Sons Dukes.

The Parliament being thus broke up, the King ſpent the reſt of this Year in his Pleaſures and Diverſions; [3] for He now rode attended by the Principal and Chief Nobility of *England*, and accompanied by the *French* Hoſtages, to ſeveral great Foreſts, as *Rockingham* in *Northamptonſhire*, *Sherwood* in *Nottinghamſhire*, and *Clunne* in *Shropſhire*, and divers other Places, where He hunted all ſorts of Game in ſeaſon, ſpending in his Progreſs an hundred Marks, and ſometimes an hundred Pounds a Day, which was a great Sum in thoſe Times, and more than Five hundred Pounds is now.

As for Eccleſiaſtical Affairs, there is nothing worthy of our Obſervation; only that Pope *Innocent* VI. deceaſed this Year in the Month of *November*, and was ſucceeded by *William Grimouard*, an Abbot of the Order of St. *Benedict* in *Marſeilles*, who was called by the Name of *Urban* the Fifth: But our *Walſingham* is not only out in his Name, calling Him *Gillerin*, but alſo in making Him an *Engliſh* Man, when indeed He was a Native of *Montferrat*; and is the firſt example a long time of any Man, that from a ſimple Abbot, was for his Learning and Piety elected Pope; of whom I have nothing more to obſerve, but that immediately after his acceſſion to the Papacy, [4] He zealouſly preached up the *Croyſado* or *Holy War*, with which the King of *France*

The Death of Pope Innocent *VI. who is ſucceeded by* Urban *V.*

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[1] Vide printed Statute Book 36 E. 3. c. 15.

[2] Ibid.

* Rot. Parl. ib.

† Ibid.

[3] H. K. col. 2627.

[4] Mezeray ad hunc An.

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was ſo touch'd, that having been ſome time before at *Avignon*, and preſent at the Election of this Pope, He not only ſtraight took upon Him the *Croyſado*, but alſo declar'd Himſelf General of the Expedition, tho He liv'd not to undertake it.

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[1] T. W. Froiſ. l. ult. c. penult.

K. Edward *and his Queen take leave of the Prince, who goes over into* Gaſcoigne.

[2] Froiſ. c. 216.

The Ld Chandois *reſigns his Command to the Prince, who makes him his chief Conſtable.*

King [1] *Edward* having kept his Chriſtmas at *Windſor*, not long after went with his Queen and Children to *Berkhamſtead*, a Caſtle of Prince *Edward's*, to make Him a Viſit, and to take their leaves before He went for *France*; where they tarried ſeveral Days, ſpending them partly in ſerious Conſultations, and partly in Diverſions and Entertainments. Then about the beginning of *February*, the Prince having firſt waited upon the King his Father, took Shipping with the Princeſs and all his Retinue, and in four days time arrived ſafe at *Rochel*, where [2] He was not long after attended by the Lord *Chandois*, Lieutenant of *Aquitain*, who then came from *Niort*, and reſign'd his Command to the Prince: He thereupon made him his Chief Conſtable of all thoſe Territories. From *Rochel* the Prince went to the City of *Poictiers*, where He was attended on by all the chief Lords and Noblemen of *Poictou* and *Saintogne*, whoſe Homages and Fealties He there received. From thence He went to the City of *Bourdeaux*, where within a few days He received the Homages of the Earls of *Foix* and *Armagnac*, between which Lords there had been great and long Feuds, that had broken into open Wars between them; but they were now by the Prince's Mediation reconcil'd. Here Prince *Edward* kept a noble Court for the ſpace of near three Years, governing the Country with great Clemency, till his unhappy Voyage into *Spain* not only loſt Him the Affections of his *French* Subjects, but alſo moſt of thoſe Territories that had been lately deliver'd up by the King of *France*.

[3] Id. c. 218.

K. Edward *lets the* French *Princes Hoſtages go over to ſollicit their Ranſom.*

In the mean while [3] King *Edward* dealt very kindly with the Hoſtages of *France*, eſpecially thoſe of the Blood-Royal, *viz.* the Dukes of *Orleans*, *Anjou* and *Berry*, who with the Duke of *Bourbon* had leave to go over to *Calais* for ſome time; and during their ſtay there, each of them was to have four days Liberty to ride abroad into the *French* Pale, on the Marches of that Place; provided that at the end of four days, they return'd to *Calais* by Sun-ſetting. The reaſon of this Favour was, that theſe Princes being nearer their Friends, might thereby ſollicit the raiſing of the reſt of the Mony that was ſtill behind of the firſt payment of King *John's* Ranſom, that thereby they might regain their Freedom, of which they were mighty deſirous; but King *John* and his Son the *Dauphin* were taken up in Matters of a higher nature, *viz.* their Preparations for the intended Croiſado, to prevent the Duke of *Navarre's* Deſigns, who at this time began to raiſe freſh Diſturbances in that Kingdom. So that when the Duke of *Anjou* ſaw that He was not like to be ſpeedily releas'd, He grew impatient, and without conſidering his Father's Honour, or his own, took the opportunity during one of thoſe days to break his Parole, and eſcape into *France*; which being done without his Father's Privity and Conſent, He was very much diſpleas'd at it.

But it being put off, the Duke of Anjou *makes his Eſcape.*

[4] Rot. Clauſ. 37 E. 3. m. 2. dorſ.

Cot. Abr. n. 96.

[5] Rot. Parl. 37 E. 3. n. 1.

I find nothing to have happen'd in *England* conſiderable this Summer, but [4] that on the tenth of *June* the King iſſued out his Writs for a Parliament to meet eight days after *Michaelmas*, [5] when, there not being a full appearance of Members, the Houſes were adjourn'd by

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A Parliament ſummon'd.

Sir *Hen. Green* Chief Juſtice to Friday following. Then *Simon Langham* Biſhop of *Ely*, and Chancellor of *England*, declar'd before the Lords and Commons the reaſon of the King's calling this Parliament; that He was deſirous to know the Grievances of his Subjects, and particularly that He might by their Advice redreſs what Wrongs had been done againſt the Liberties of Holy Church, and alſo reform all Enormities, eſpecially about the manner of exhibiting Petitions. Then after ſome things which were done of courſe, the Commons gave the King their moſt humble thanks for the great Goodneſs He had ſhew'd, and confirm'd unto them with his own Mouth the laſt Parliament; and they humbly pray'd that the King would enjoin the Arch-Biſhops and all others of the Clergy, that they would put up their joint Prayers to Almighty God, for the Proſperity of his Majeſty, in order to the Peace and good Government of the Land, and for the continuance of his Majeſty's good Affection towards his Commons. As for their Petitions to the King, and his Anſwers to them, they may be ſeen in **Cotton*'s Abridgment. I do not find any Taxes given the King in this Parliament; and as for the Statutes made in it, I refer the Reader to our printed Statute-Book, as alſo to the end of this Reign, where you may find the Heads of the chiefeſt of them.

* P. 97.

But I cannot but obſerve, that this Parliament was continued by ſeveral Prorogations [1] till the third of *November*, when the Lord Chancellor in preſence of the King, Lords and Commons, declar'd, that the King was now reſolved to execute the Statute of *Apparel*, and therefore charged them all to promote the ſame. After which he demanded of both Houſes, whether they would have ſuch matters, as they agreed on, to be by way of *Ordinance* or of *Statute*? They anſwered by way of *Ordinance*, that they might amend the ſame at their pleaſure; and ſo it was done. Then the King thank'd them for their pains taken, and ſo diſmiſs'd them. Where the Reader may obſerve the difference between an *Ordinance* and a *Statute*, the former being look'd upon as a *Temporary*, but the latter as a *ſtanding Law*.

[1] Id. ib.

The Parliament prorogu'd to the 3d of November.

Nota.

About [2] the beginning of *November*, *David* King of *Scotland* came again into *England*, to give the King a Viſit, as alſo to ſee if He could obtain ſome alleviation of his Ranſom; in which, tho I do not find He met with the Succeſs He expected, yet He was honourably received by the King; and divers other great Princes coming hither not long after, He ſtaid ſome months in *England* to enjoy their Converſation: For *Peter*, King of *Cyprus*, having been lately at the Pope's Court, and there took the *Croyſado* (at the ſame time with the King of *France*) went from thence to the Emperor's Court at *Prague*, to ſollicit his Aſſiſtance for this *Holy War*: and having now a deſire to come over into *England* for the ſame purpoſe, the [3] King granted Him Letters of Safe-Conduct, as alſo for *Albert* Duke of *Bavaria*, who accompany'd Him; whereupon theſe Princes landing at *Dover* about *Chriſtmas*, went from thence for *London*; and by the King's Command they were met without the City by the Earls of *Hereford*, *Eſſex* and *Northampton*, with other Noblemen and Perſons of Quality, by whom they were conducted to the ſeveral Houſes that were prepar'd for them, where we ſhall leave them for a time.

[2] H. K. col. 2627.

David *King of* Scots *comes again into* England.

[3] Rot. Pat. 39 E.3. p.2. m.7.

The King of Cyprus *and Duke of* Bavaria *arrive in* England.

This Year was remarkable for the deceaſe of ſome Perſons of great note; [4] for the Lady *Elizabeth*, Dutcheſs of *Clarence*, now dy'd in the

[4] H. K. ib.

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The Deceaſe of Elizabeth *Dutcheſs of* Clarence.

Prime of her Youth, leaving one only Daughter behind Her by Duke *Lionel* her Husband, called *Philippa*, who afterwards was married to *Edmund Mortimer* Third Earl of *March*; and *Anne* the Daughter and Heir of his Son *Roger*, being married to *Richard* Duke of *York*, his Son *Richard* afterwards laid Claim to the Crown, as right Heir thereof, in the Reign of King *Henry* VI. as you will find hereafter.

* Id. ib. *Of the Lord* Edward Baliol.

This * Year alſo the Lord *Edward Baliol*, who had been King of *Scotland*, till He reſign'd his Title to King *Edward*, departed this Life at *Doncaſter* in *Yorkſhire* without Iſſue, being the laſt of the Family of *John Baliol*; ſo that the Title to the Crown of *Scotland* now remain'd to K. *David Bruce* without any Competitor.

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[1] Froiſ. c. 219. *K. of* France *arrives in* England.

In the beginning of this Year, [1] *John* King of *France* had a great deſire once more to ſee *England*, that He might confer with King *Edward* about the *Holy War*, which He had lately undertaken, as alſo to excuſe his Son's ſtealing away from *Calais*, and to procure the delivery of the other two, with the reſt of the Hoſtages, upon the payment of part of his Ranſom. Theſe were the true Reaſons of his coming over, and not for the Love of the Counteſs of *Salisbury*, as Sir *Richard Baker* and ſome other modern Writers falſely relate: ſo that notwithſtanding ſome oppoſition made by this King's Council againſt his Voyage, yet having a great Honour and Eſteem for the King and Queen, He took ſhipping at *Boulogne*, and landed at *Dover* the fourth of *January*, where He was received by thoſe of the Nobility whom K. *Edward* had ſent to bid Him Welcome: from thence He was conducted to *Canterbury*, where He offer'd a rich Jewel at the Shrine of the pretended St. *Thomas*; and thence He went to the Palace at *Eltham*, where He was moſt kindly receiv'd by the King and Queen, and entertain'd with all ſorts of Diverſions; and ſome time after He was received by the Mayor and Aldermen of *London* in great State, and was by them nobly entertain'd; [2] yet much more by Sir *Henry Picard* a Merchant Vintner of *Gaſcoigne*, who ſome Years before had been Mayor, and now made a magnificent Entertainment at his Houſe (ſince called the *Vintry*,) for no leſs than Four Kings at once, *viz.* of *England*, *Scotland*, *France* and *Cyprus*, beſides the King's Sons and moſt of the Nobility of *England*, who were likewiſe preſent. This deſerves our particular Notice, for as we do not read of ſo many Foreign Princes to have been in *England* at one time, ſo certainly never before had any private Citizen the Honour to entertain ſo many.

Is kindly receiv'd by the King and Queen.

[2] Stow's Survey of *London*, 87, 255. *Sir* H. Picard *late Mayor of* London *entertains Four Kings at once.*

[3] Froiſ. c. 218. *King of* Cyprus *returns into* France *attended by many* Engliſh.

[3] After ſome Months ſtay, the King of *Cyprus*, not being able to obtain of King *Edward* any conſiderable Aſſiſtance either in Men or Mony towards his War with the *Saracens* (yet being nobly preſented) took his Leave, and return'd into *France*, being attended by many *Engliſh* Gentlemen, who would go as Volunteers to this Expedition. Then the former of theſe Kings paſſing thro *France*, went as far as the City of *Angouleſme*, where He was kindly receiv'd by the Prince of *Wales*, whom He would fain have engag'd in his intended Expedition; but not being able to prevail with Him, after He had been nobly entertain'd, and preſented by the Prince and Princeſs, He took his Leave, and was conducted by the Lord *Chandois* to the Borders of the *Engliſh* Territories, and ſo He return'd to *Paris* to the *Dauphin*, who was then left by his Father Regent of *France*.

But

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But as for King *John*, He had now paid King *Edward* a moiety of One Million of the Three which He was to pay for his Ranſom, whereupon He deſired that his Sons and ſome other of the Hoſtages might be deliver'd; which tho He could not obtain, yet He ſtill continued here, being viſited and treated by the King and his Sons, and taking his Pleaſure in ſuch Sports as He loved. He had his chief Reſidence at the *Savoy*, which then belong'd to the Duke of *Lancaſter*, being at that time one of the moſt Magnificent Palaces in *England*. But not long after, [1] in the beginning of the Spring, the King was taken dangerouſly ill of a languiſhing Diſtemper, which tho our Hiſtorians do not tell us what it was, yet (notwithſtanding all the Endeavours of the Phyſicians) put an end to his Life, the Eighth day of *April* at the *Savoy*, to the great grief of King *Edward*, his Queen, and the *French* Princes and Noblemen. The [2] King made Him a noble Funeral at his own Expence, and cauſed his Body to be tranſported into *France*, where on the Seventh of *May* following it was inter'd at St. *Denis*.

K. John*'s deſire for his Sons Freedom refuſed by K.* Edward.

[1] H.K. Col. 2627.

He ſickens and dies at the Savoy.

[2] Froiſ. c. 121.

This King was eſteem'd one of the moſt Brave and Liberal and ſincere of his Time, being a Prince who inviolably obſerv'd what He once promiſed; but theſe Vertues were much allay'd by his Pride, Wilfulneſs, and Contempt of all other Advice but his Own, beſides great Prodigality, which made Him leave his Subjects to the Diſcretion of his *Financiers*. Theſe failings, with the Raſhneſs and Precipitation He expreſſed in his Enterpriſes, were the chief Cauſes of thoſe great Misfortunes which had befallen Him: but his Son *Charles* the Fifth reſtor'd *France* to its antient Grandeur, by taking quite contrary Methods, and therefore juſtly deſerved the Title of *Wiſe*: Yet his Death was a great Loſs to *England*, for had He lived, it is very probable that He being a Prince of an open, generous Nature, would not have broke the Peace with King *Edward* upon thoſe ſlight Accounts as his Succeſſor did within a few Years after.

His Character.

But before I quit this Subject, I cannot but take notice of a very improbable and malicious Story, which I find only related by [3] *Knighton*, as that King *John* ſhould on his Death bed ask King *Edward*'s Pardon for his Treachery to Him, in having by his Subjects and Confederates collected a great quantity of Gold, which being made into Plates had been put into Barrels, in order to be ſent to *France*; and that they had bought up great quantities of Bows and Arrows and other Arms, which were made up in Wool-ſacks for the ſame purpoſe; as alſo that He beg'd King *Edward*'s Pardon for uſurping the Crown of *France* to his Prejudice: all which, as I have ſaid, being highly improbable, need no formal Confutation.

[3] Col. 2628.

A malicious Story of Knighton *confuted.*

Since *England* now affords us nothing worth farther Conſideration this Year, I ſhall give you a ſhort Account of what happen'd in *France* after the Death of King *John*; [4] where in the beginning of the Reign of his Son *Charles*, aroſe freſh Wars and Diſturbances, by reaſon of the King of *Navarre*, who now laid Claim to the Dutchy of *Burgundy*, which [5] had been already beſtowed upon Prince *Philip*, King *John*'s Youngeſt Son (who had been lately ranſom'd;) to recover which, the King of *Navarre* raiſed an Army conſiſting of *Engliſh*, and ſuch *French* as ſided with Him. *John de Greilly*, *Captal de Buche*, being his Kinſman and a great Soldier, came to his Aſſiſtance, and was made Commander of his Forces; and Sir *Bertrand du Gueſclin* (whom

[4] Froiſ. c. 120.

The K. of Navarre *raiſes freſh Diſturbances in* France.

[5] Mezeray ad hunc An.

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[1] Froiſ. ibid. *A Battle between Sir* Bertram de Gueſclin *and the* Captal de Buche.

(whom ſome of our Hiſtorians call *Bertram de Clequin*) a Valiant Knight of *Bretagne*, was over thoſe which were now raiſed by the King; [1] the Iſſue of which was, that the two Generals with their Armies coming to an Engagement, near a Place called *Cecherel* in *Normandy*, where the *Captal* and his Forces, having indiſcretely quitted an advantageous Poſt they had taken, were utterly routed, and himſelf taken Priſoner, tho he was not long after releaſed by the King, in hopes to bring him over to his Party, but He found Himſelf deceived in that Expectation.

[2] Mezeray. Froiſ. c. 225. *On the Death of* Philip, *the K. of* Navarre*'s Brother, his Younger Brother* Lewis *commands his Forces, and makes War againſt the K. of* France.

During [2] theſe Tranſactions, *Philip* Brother to the King of *Navarre*, happening to die, *Lewis d'Evreux* his Younger Brother muſter'd up his ſcattered Troops, and falling upon *Bourbonnois*, and the Lower *Auvergne*, there ſeiz'd upon divers Caſtles, and ſome of his Men ſurpriz'd *La Charité* upon the *Loire*, a Place of great Importance, to paſs over the River; from whence He made a cruel War upon the Country on this ſide of it, whilſt on the other the Count of *Montbelliard* fell into *Burgundy* to ſerve the Houſe of *Navarre*, which pretended to that Dutchy; but *Philip*, Brother to the King of *France*, who had it granted to Him before, was order'd by the King to defend his Country with ſufficient Forces.

[3] Mezeray, ib. Philip *Brother to the King of* France *carries the War into* Montbelliard, *whereupon Pr.* Lewis *retires into* Normandy.

[4] Id. ibid. Froiſ. c. 227. *The Famous Battle of* Auray, *wherein Count* Charles *of* Blois *his Army is routed.*

* Ad hunc An.

[5] Mezeray ib. *By which Victory he becomes Maſter of all* Bretagne.

In order to which, He carried [3] the War into *Montbelliard*, and thereby forced the Count to quit *Burgundy*; and then ſat down before *La Charité*, where *Lewis* Count *d'Evreux*, not finding himſelf ſtrong enough to raiſe the Siege, retired with his Troops to *Cherbourgh* in *Normandy*: whereupon the Beſieged ſurrender'd upon good Terms, which the Duke then granted them by the King's Order, becauſe He might be in a capacity to ſend the greateſt part of thoſe Forces to the Aſſiſtance of Count *Charles* of *Blois* his Couſin, who was ſtill contending with *John* the Young Earl of *Montfort* for the Dutchy of *Bretagne*. But not long after, [4] that Famous Battle of *Auray* was fought, which decided this long Diſpute between the two Competitors; for *John de Montfort* having beſieg'd that Place laſt mention'd, by the Aſſiſtance of the *Engliſh* Forces, commanded by the Lord *Chandois* (who was ſent thither by Prince *Edward* for that purpoſe) Count *Charles* undertook to relieve it with the Troops of *France*, who were led by the Count *d'Auxerre*, and Sir *Bertrand de Gueſclin*; theſe two Armies gave Battle to each other, near the Place above-mention'd, upon *Michaelmas* Day; the Fight was obſtinate and bloody, and laſted a long while, but the Iſſue was that Count *Charles*'s Forces were routed, and Himſelf ſlain upon the Place, who deſerv'd a better Fortune, being a Prince of great Valour and Affability. * *Mezeray* relates, that the *Engliſh* and the Nobility of *Bretagne*, being quite tired with this War, had reſolved before-hand to diſpatch out of the way that Competitor, whoever it ſhould be, that ſhould happen to be worſted and taken in the Fight. By this Victory, as well as ſome other Succeſſes the Year following, the Earl of *Montfort* became not long after ſole Maſter of *Bretagne*; [5] for the Sons of Count *Charles* were ſtill Priſoners in *England*, and his Widow had more of Pride than good Conduct; and tho the Duke of *Anjou* her Son-in-Law would fain have aſſiſted Her, yet the Council of *France* did not think it convenient to puſh this Buſineſs to extremity leſt *Montfort* ſhould again put himſelf under the Homage of the King of *England*; ſo that the

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the *French* in a little time made a Peace with him, by the Treaty of *Guerrande*, upon theſe Conditions: That he ſhould for ever enjoy the Dutchy of *Bretagne*, doing Homage for it to the King of *France*, yet that the Widow of Count *Charles* ſhould enjoy the Title of Dutcheſs during her Liſe; and that in caſe of the Failure of Iſſue of *John de Montfort*, the Dutchy ſhould come to the Right Heirs of the Counteſs of *Blois*. Theſe things were not concluded until the next Year, tho to finiſh this Relation I have put them together under this.

Whereupon the French *make Peace with him, and own him for Duke of* Bretagne.

As to the Affairs of *England*, I find little worth noting; only that within a few Days after the Battle of *Auray*, King *Edward* received Letters from *John* Duke of *Bretagne* (for ſo I ſhall now call Him) his Son in-Law, with an Account of the great Victory He had then gain'd over his Enemy; at which the King was ſo well pleas'd, [1] that He made the Purſuivant at Arms, who was the bearer of the News, a *Herald* by the Name of *Windſor*, which Title continues to this Day. The King was then at *Dover* to meet the Earl of *Flanders*, who was newly come thither to treat with Him, and conclude a Match, that was then on foot, between his Only Daughter and *Edmund* E. of *Cambridge*, the King's Fifth Son, where all things were ſo well approved of, that there wanted nothing in order to the Marriage, but the Pope's Diſpenſation for their being ſo near of Kin. Yet [2] this intended Match was ſoon after broke off, by the *French* King's envious Policy, He craftily hindering the Pope from granting the Diſpenſation; and then He never left courting the Earl of *Flanders*, till He had given his Daughter in Marriage to that King's Brother, *Philip* Duke of *Burgundy*. This I take notice of, becauſe it was from this Prince that thoſe Dukes deſcended, who either by Matches or Conqueſts, becoming Lords of all the *Belgick* Provinces (which we call the *Netherlands* or *Low-Countrys*) afterwards became ſo Powerful, that they were able to give a check to the Power of *France*, and to turn the Scale of Succeſs to that ſide either *French* or *Engliſh*, that they were pleas'd to favour; as you will find in the next Volume, if it ſhall pleaſe God to let me finiſh it.

On the News of this Victory, K. Edward *makes the Purſuivant that brought it, a Herald.*

The K. treats about a Match between his Daughter and Earl Edmund.

I have no more to add as to the Affairs of *England*, [3] only that the Wars being now ended, a great many of thoſe Soldiers that had been diſbanded, and had rather do any thing than return to their former Employments, did the laſt Year as well as this, become Robbers and Highway-men; ſome of them breaking up Houſes, and robbing Churches of their Plate, not ſparing the Gold and Precious Stones which adorn'd the Reliques of the Saints, whilſt others robbed upon the Highway, not ſparing any whatſoever. Nay [4] *Peter* King of *Cyprus*, whilſt he travell'd in *England* with a ſmall Train, was ſet upon by a Gang of theſe Fellows, and ſtrip'd of all He had about Him; which no doubt gave Strangers a very ill Impreſſion of the *Engliſh Barbarity*: whereupon King *Edward* was ſo much incenſed, that He did what He could to find out the Miſcreants, and bring them to condign Puniſhment; and in order to it, granted to the City of *London* more ample Power to do Juſtice, and to deliver up Priſoners within their Libertys to the King's Juſtices, as they uſed to do before, tho without his Expreſs Commiſſion.

The Kingdom is much diſturbed by Robbers and Highway-men.

The K. grants the City of London *a larger Power over Malefactors.*

Preſently

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[1] Froiſ. c. 227.

[2] T. W.

[3] H. K. col. 2628.

[4] T. W. ad An 1363.

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* Rot. Clauſ. 38 Ed. 3. m. 3. Dorſ.
† Rot. Parl. 38 E. 3. n. 1, 2. Cotton's Abr. p. 100.
A Parliament ſummon'd, the cauſes of which are declar'd by the Biſhop of Ely.

Preſently after *Chriſtmas* on the Octaves of St. *Hilary*, King *Edward* held a Parliament at *Weſtminſter*, which being adjourn'd until the next Day, the * Lords and Commons then met in the Painted-Chamber, there to hear the King's Pleaſure; at which time *Simon Langham* † Biſhop of *Ely* and Lord Chancellor, began in a long ſolemn Harangue to open the Parliament, taking for his Theme that of the Royal Prophet, *Faithful Judgment doth adorn the King's Seat:* from whence he took occaſion to diſcourſe of the great Valour of the King his Maſter, and the manifold Victorys, which by God's Aſſiſtance He had atchieved in his Youth; not forgetting the conſtant and dutiful Good-will and ready Concurrence of the King's Loyal Subjects, towards the furtherance of thoſe his Important Undertakings; for which as the King did now by him return them his hearty Thanks, ſo he let them know, That on his part He was reſolved to ſeek the common Peace and Tranquillity of all his People; eſpecially by enforcing a due Obſervation of all good and wholſome Laws, and by amending ſuch of them as ſhould be thought defective, as alſo by eſtabliſhing new ones, where neceſſity ſhould ſo require.

[1] Id. n. 5, 6.
Their Proceedings.

Then [1] they proceeded to appoint Receivers and Tryers of Petitions for *England*, *Ireland*, *Wales*, *&c.* as alſo for *Aquitaine* and other foreign Countrys. The ſame Day the King declar'd with his own Mouth to all the Eſtates, how Citations and falſe Suggeſtions were daily made to the Pope, for Matters determinable in his Court within the Realm, and for procuring *Proviſions* for Eccleſiaſtical Dignitys, to the great Scandal of the Antient Laws, the Derogation of his Crown, to the daily conveying away of the Treaſure of the Land, to the Diminution of Eccleſiaſtical Livings, to the withdrawing of Divine Service, Alms, Hoſpitality, and other Good and Acceptable Works, and to the daily encreaſe of all Miſchiefs, *&c.*

[2] Rot. Parl. n. 7.
[3] Vid. Stat. 27 Ed. 3. c. 1.
The ſecond Statute againſt Proviſors made.
[4] Vid. Stat. 38 Ed. 3. c. 2.

[2] Then the King from his own Mouth alſo farther requir'd them, That according to a former [3] Statute heretofore made, another Act more ſtrict, but to the ſame purpoſe, ſhould be now made againſt the Pope's *Proviſions* of Biſhopricks and other Eccleſiaſtical Dignities and Benefices, and againſt all that have obtain'd or ſhould obtain any ſuch Benefices by virtue of ſuch *Proviſions*, or ſhould ſerve any Proceſs or Citations to the Pope's Court for that purpoſe: which Act was made accordingly, for which I refer you to the [4] Printed Statute Book, which agrees with the Record, except that there are found therein far more ſharp and biting words againſt the Pope, than are to be found in the Print; but why they were omitted by the Publiſher I cannot ſay.

[5] Rot. Parl. ib. Cot. Abridg. ibid.
The Commons Petitions, with the King's Anſwers.
* *i. e.* Melcomb Regis *in* Dorſetſhire.
† Ib. n. 31.
The K. thanks the Lords and Commons for their Good will.

Then [5] follow the Petitions of the Commons, with the King's Anſwers to them, the moſt remarkable of which are theſe: The Commons pray, that Three Shillings and Four Pence laid upon every Sack of Wool at *Calais*, and all other unreaſonable Impoſitions may ceaſe. (Anſwer,) The King willeth, that all unreaſonable Impoſitions ſhould ceaſe. It was alſo then agreed, that the *Staple* being removed from *Calais*, ſhould be held at * *Melcomb*, and at *Ipſwich*; and that all Merchants and others for their eaſe, may ſhip Wool at *Lewes* and other Places. As for the reſt of the Statutes that were made this Parliament, you may find them in the Statute Books. † Then the Buſineſs of this Parliament being finiſhed, the King gave Thanks to the Lords and Commons in Parliament for their good Affection to Him, and ſo diſmiſſed

miſſed them on the Seventh of *February* following. So that tho this Parliament began in the latter end of the Eight and thirtieth Year of this King's Reign, yet it was not diſſolv'd till the beginning of the Nine and thirtieth.

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After this the Pope, to be even with the King for this ſtrict Law He had lately cauſed to be made againſt his *Proviſions*, did this Year write [1] Him a Letter bearing date at *Avignon* in the beginning of *June*, whereby He demanded the Arrears of his Rent or Tribute, for the Kingdoms of *England* and *Ireland*, which had been granted by King *John*; but what Anſwer was made to this Letter, you will find in the Proceedings of the Parliament the next Year. But this affords little more remarkable, ſaving that the King cauſed the Lord Chief Juſtice Sir *Henry Green*, and Sir *William Skipwithe* one of his Juſtices, to be arreſted and impriſon'd, on the account of many notorious Extortions and Enormitys which He underſtood they had committed againſt Law and Juſtice; nor could they redeem themſelves from Priſon, without paying the King very large Fines, which by Injuſtice they had got from Others: but for ever after they were ſecluded from both their Places, as well as from his Favour.

The Pope demands his Arrears of Tribute.

The King impriſons the Chief Juſtice, and one of the Juſtices for Extortion.

This Year King *Edward* married his Daughter the Lady [2] *Iſabella* to a Young *French* Lord, named *Ingelran de Guiſnes*, who was Baron of *Coucy* and divers other great Lordſhips in *France*. He had come over into *England* the laſt Year, and ſo far recommended himſelf to the King by his handſom Perſon and obliging Carriage, that making Love to this Lady, he not only obtain'd her Favour, but the King's Aſſent to the Marriage, which was Celebrated at *Windſor* with great Magnificence, upon which he was created Earl of *Albemarle*, to Him and the Heirs of his Body, and had at the ſame time alſo granted him divers Mannors and Lordſhips in *England*; and he was ſome Years after made Duke of *Auſtria* by the Emperor, tho he never obtained any more than the bare Title.

The King marries his Daughter Iſabel *to the Lord of* Coucy.

This Year alſo the King [3] Founded and nobly Built a new College in *Cambridge*, which was called the *King's Hall*, and endowed it with large Revenues; which being afterwards augmented with two or three other ſmall adjoyning Foundations, was by King *Henry* VIII. named *Trinity College*: and albeit He never lived to finiſh it, yet it is now one of the moſt Noble and Magnificent Foundations of that kind in *Chriſtendom*.

As for Foreign Affairs, [4] tho the deſign'd *Croiſado* was defeated by the Death of *John* King of *France*, yet nevertheleſs *Peter* King of *Cyprus*, having receiv'd ſome Aſſiſtance in Mony from the Princes of *Chriſtendom*, and alſo gather'd ſome Troops of Voluntiers in *England*, *France* and other Countries, which were alſo joyn'd with a great many of the Knights Hoſpitallers, they all together made ſo conſiderable a Force, that landing in *Egypt* they valiantly took the City of *Alexandria*, where they found a great deal of rich Plunder; to keep which the *Engliſh*, *Gaſcoigne*, and other Voluntier Commanders being more careful than of their Honour, they with their Soldiers under their Command retired to their Ships, and thereupon forced the King to quit the Enterprize and follow them.

Peter *King of* Cyprus *takes the City of* Alexandria, *but is preſently forced to quit it.*

[1] O. Raynold. ad hunc An.

[2] Sandf. Gen. Hiſt. p. 178. Froiſ. c. 219.

[3] Vid. Caii Hiſt. Acad. Cantab.

[4] Mezeray ad hunc An.

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[1] Rot. Parl. 40 Ed.3.n.1,2. Cot.Abridg. p. 102.

Another Parliament, the Cauſes of which are declared by the Lord Chancellor.

[2] Ib. n. 3,4,5, &c.

This Year paſt without any thing conſiderable, till the Thirtieth of *March*, on which day King *Edward* held a [1] Parliament at *Weſtminſter*; at the opening whereof in the *Painted-Chamber*, the Biſhop of *Ely* Lord-Chancellor declar'd, in preſence of the Lords and Commons, the Reaſons why that Parliament was called, which in effect were theſe; That ſince the King had ſent his eldeſt Son, the Prince of *Wales*, to govern the Country of *Aquitain*, as alſo the Duke of *Clarence* his next Son, then living in *Ireland*, to be his Lieutenant there, his chief care now was, how He might beſt govern his Realm here at Home; and [2] ſo having appointed Receivers and Tryers of Petitions for *England*, *Ireland*, *Wales*, and other Countries, they adjourn'd until the next day, when the Chancellor, in the preſence of the King, Lords and Commons, declar'd, [3] That he had the day before inform'd them in general of the Occaſion of their aſſembling, and that now they ſhould know it more particularly, there being a Matter of great Importance which the King was reſolved to communicate to them, *viz.* He had lately received Notice, that the Pope in conſideration of the Homage which King *John* of *England* had formerly paid to the See of *Rome*, for his Realm of *England* and Dominion of *Ireland*, and of the Tribute then by Him granted unto the ſaid See, intended by Proceſs to cite the King to his Court (then at *Avignon*) to anſwer for his Default, in not performing what the ſaid King his Predeceſſor had ſo undertaken for Him and his Heirs, Kings of *England:* Whereupon the King required the Advice of his Parliament, what Courſe He had beſt to take, in caſe any ſuch Proceſs ſhould be attempted againſt Him.

[3] Ib. n. 7.

The Chancellor communicates to them the Pope's late Demand of the Arrears of the Tribute.

[4] Ib. n. 8.

The Declaration of the Lords and Commons againſt King John'*s Power of ſubjecting his Realm to the Pope.*

[4] Then the Biſhops, Lords, and Commons, each of them ſeverally, deſired time till the next day to give in their Anſwer, when the Prelates, Dukes, Earls, Barons and Commons, upon full deliberation, declared as follows: That neither King *John*, nor any Other, could bring Himſelf, nor his Realm nor People in ſuch ſubjection, without *their Aſſent*, as appears by many Evidences; and if it were done, 'twas without their Aſſent, and againſt his Coronation-Oath; and alſo the ſaid Eſtates above-mention'd, further agreed and granted, That in caſe the Pope ſhould attempt any thing by Proceſs, or any other way, to conſtrain the King or his Subjects, to perform what He ſays He lays claim to in this reſpect, they would reſiſt and withſtand Him with all their Power. Thus was this haughty Demand of the Pope, by the ſtout oppoſition of the Biſhops, Lords, and Commons, quaſhed for ever, for I do not find that it was ever again demanded.

† Ib. n.9,10. Cot.Abridg. p. 102.

The Univerſities Complaints againſt the Mendicant Friars, refer'd to the King & Lords.

In this Parliament † the Univerſities of *Oxford* and *Cambridg* made great Complaints againſt the *Mendicant-Friars*, as theſe did likewiſe againſt the Univerſities; and their Cauſe was warmly managed by Proxies on both Sides before the King and Parliament; but in the end both ſubmitted to the Pleaſure of the King and Lords, who having deliberated on this Matter, made an Order, That for the future, as well the Chancellor and Scholars, as the Fryars of thoſe Orders within the ſaid Univerſities, ſhould in beſtowing all *Graces* and School-Exerciſes, uſe each other in a Friendly manner, without any noiſe and diſturbance; and that none of thoſe Orders ſhould receive any Scholar into their Fraternities being under the Age of Eighteen Years: and that the Fryars ſhould take no Advantage, nor procure any Bull,

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or other Proceſs from the Court of *Rome* againſt the ſaid Univerſities, or proceed therein; but that the King alone ſhould have Power to redreſs and determine all Controverſies between them for the future; and the Offenders ſhould be puniſhed at the Pleaſure of the King and his Council.

The Parliament continued until the Eleventh of *May*, * when the Lord Chancellor declar'd, That the King having married his Daughter *Iſabella* to the Lord *de Coucy*, who had a fair Eſtate both in *France* and *England*, it would be for the King's Honour to create him a Peer of *England*, which [1] all the Lords there preſent agreed to be very convenient: Whereupon He by his Letters Patents dated the ſame day, created Him Earl of *Bedford*; and for the better ſupport of Him and his Lady, gave Him a Grant of a thouſand Marks *per Annum*, to be paid out of the *Exchequer*, as alſo thirty Marks more out of the Iſſues of the County of *Bedford*, to be yearly paid by the Sheriff of that County. Here you may obſerve, that the Parliament did not quarrel with the King, or find fault with his marrying his Daughter to a *French*-man tho a Subject, or that he had confer'd upon Him ſo great an Eſtate out of the Lands belonging to the Crown, or that He would now make him a Nobleman of *England*; for tho it was uſual with this King not to create either Dukes or Earls (even his own Sons) without the privity of the reſt of the Peers, yet we do not find that ever He asked the Conſent of the Commons, or that it paſſed into an Act or Statute, all the Charters of their Creation being granted by the King alone, without the Conſent of the Parliament at all mentioned in them.

* Rot. Parl. 40 Ed. 3, n. 13: Cot. Abridg. p. 103.

The King Creates the Lord de Coucy *Earl of* Bedford.

[1] Rot. Pat. 40 E. 3. m. 12.

As for Eccleſiaſtical Affairs, [2] *Simon Iſlip* Arch Biſhop of *Canterbury*, deceaſing of a Palſie on the Six and twentieth of *April*, the Monks of *Canterbury* choſe *William Edington*, then Biſhop of *Wincheſter*, for Arch-Biſhop; but he declin'd the Dignity, wittily ſaying (as it is reported) *That* Canterbury *was the higher Rack, but* Wincheſter *the better Manger*: So that upon his Refuſal, they choſe *Simon Langham*, Biſhop of *Ely*, who was then tranſlated to the See of *Canterbury*.

[2] God. de Præſul. de Epiſ. Wint.

Simon Iſlip *Arch-Biſhop of* Canterbury *deceaſing, is ſucceeded by the Biſhop of* Ely.

I ſhall now proceed to Foreign Affairs, eſpecially ſince they are ſo nearly conjoyn'd with thoſe of *England*. *France* continued ſtill to be much [3] diſturbed by thoſe disbanded Soldiers, who called themſelves *Companions*, and who, ſince the Wars of *Bretagne* were ended, had liſted themſelves in new Troops, but under the Command of ſeveral of their former Captains; theſe being moſt of them *Gaſcoignes* or *Engliſh*-men, and but few *Bretons* or *French*-men among them, it very much incenſed the *French* Nobility, who laid the Fault on King *Edward*, and his Son the Prince, that they had not done their utmoſt to ſuppreſs them; for not long before, [4] the Dukes of *Orleans* and *Anjou* who were ſent againſt them by King *Charles* their Brother, with an Army of fifteen thouſand Men, were routed, and many of them taken Priſoners by theſe *Companions*, then commanded by Sir *Nicholas Dagworth*, Son to Sir *Thomas Dagworth*, that had been treacherouſly kill'd in *Bretagne* ſeveral Years before: Yet I give no credit to what the ſame Author relates, that they took both the ſaid Dukes Priſoners, ſince that would have made ſo great a Noiſe, that it could not have eſcaped being mention'd by ſome of the *French*

[3] Froiſ. c. 229.

France *ſtill diſturbed by the Troops of the* Companions.

[4] H. K. col. 2628.

The Army of the Dukes of Orleans *and* Anjou, *routed by them.*

The French *King ſends to* K. Edward *to ſtop their Progreſs.*

King Edward *commands them to quit* France; *which ſome few obey, but moſt of them make an inſolent Anſwer.*

The King offers to go over in Perſon to ſuppreſs them, but is hindered.

Hiſtorians: However this is more certain from our Author[1], that the *French* K. was ſo terrified with the great Succeſs of theſe *Companions*, that He ſent to K. *Edward*, deſiring Him to interpoſe his Authority againſt thoſe Men, who were for the moſt part *Engliſh*, or at leaſt his Subjects; for it was ſo provided in the Articles of the Peace at *Bretigny*, That if the Soldiers on either ſide ſhould refuſe to acquieſce, both the Kings ſhould join together to compel them. Upon this King *Edward* firſt ſent out his Letters, or Proclamation, commanding them on their Allegiance to quit *France*, and no longer to infeſt that Kingdom. Some few obeyed, but moſt of them made anſwer, That as they held nothing there of the King of *England*, ſo neither for Him, nor any one elſe, would they leave their Gariſons and Livelihood, they had got with ſo much Labour. Whereupon the King, enraged at this Inſolence, immediately prepared to chaſtiſe them in Perſon with a Royal Army. But when King *Charles* heard of his Preparations, He began to fear, leſt after King *Edward* had deſtroyed the *Companions*, He Himſelf might become a Prey, under ſome Pretence or other that Conquerors can eaſily find out: Wherefore He ſent again to Him, deſiring Him to deſiſt, and ſtay at Home, for now He did not need his Aſſiſtance. At which Affront King *Edward* was ſo diſpleas'd, that He ſwore by St. *Mary*, He would never ſtir again to aſſiſt the King of *France*, tho the *Companions* ſhould endeavour to expel Him his Kingdom.

Bertrand de Gueſclin *carries many of the* Companions *into* Spain.

Peter *King of* Caſtile *being for his Cruelty oppoſed by* Henry *his Brother, is driven out of* Spain.

But now when there were no hopes by Force to repreſs theſe Plunderers, the Valiant *Bertrand de Gueſclin* found means to carry a great many of them upon an Expedition into *Spain*, and that upon this occaſion: * *Peter*, King of *Caſtile*, to whom the *Spaniſh* Hiſtorians give the Sirname of *Cruel* and *Wicked*, and that not without cauſe, for He overturn'd all the Laws, and committed Cruelties equal to thoſe of the Antient Tyrants, and not only lived in open Adultery with *Mary de Padilla*, whom afterward He marryed, but poiſon'd his Queen *Blanche*, Siſter to the Queen of *France*: After which He put many of the chief Noblemen to death, without any Crime proved againſt them, and ſpar'd not his own natural Brothers, of whom there were three ſtill living: For having put the ſecond of them called *Frederick* to death out of mere ſuſpicion, He endeavour'd to do the like to the Eldeſt called *Henry*, Count of *Taſtamara*; who taking Arms in his own Defence, and forming a great Party in the Kingdom, made a League with the King of *Arragon*, and by theſe means, for ſome time, made War upon his Brother. But *Henry*'s Forces being at laſt vanquiſhed by thoſe of the King, he was driven out of *Spain*, and forced to take Refuge in *France*; where K. *Charles* the more willingly granted him his Protection and Aſſiſtance, becauſe He now found a fair Occaſion of ridding the Kingdom of thoſe diſbanded Soldiers that diſturbed it: And in order to this, He treated with theſe *Companions* by the means of *Bertrand de Gueſclin* abovemention'd, who was lately ranſom'd from his Impriſonment, by the Pope and the *French* King for that purpoſe (the former of whom had now excommunicated Don *Pedro*): And tho *John de Bourbon* Earl of *Marche* (Couſin to Queen *Blanche* deceaſed) was appointed their General, yet it was this *Bertrand*, whom they indeed looked upon as their Leader, being then in high eſteem for his Valour

and

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[1] T. W.

* Mezeray ad hunc an.

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and Conduct. With theſe Troops of the *Companions*, beſides a great number of Gentlemen Voluntiers, the Earl of *Marche* and this *Gueſclin* conducted Count *Henry* into *Spain*, the King of *Arragon* giving them paſſage thro his Country: but ſo ſoon as they had enter'd *Caſtile*, all the Nobility of that Kingdom, except one Nobleman, (*viz. Hernando de Caſtro*) revolted from K. *Pedro*, and betook themſelves to *Henry*'s Party, who being joyfully received into the City of *Burgos*, was there crown'd King about the end of *March* the foregoing Year: But too ſoon looking upon Himſelf ſettled in the Throne, He not long after diſmiſs'd moſt part of his Foreign Troops, retaining only Fifteen hundred Lances under the Conduct of *Gueſclin* and *Bernard*, baſe Son to the Earl of *Foix*.

He is aſſiſted by the E. of Marche *and* Bertrand de Gueſclin, *where the Nobility of* Caſtile *make* Henry *King.*

King [ʼ] *Pedro*, finding He was thus deſerted by his Subjects, took Refuge in the Caſtle of * *Corunna*, with his Wife and Daughters, and a ſmall Retinue; but finding He could not be long ſafe there, He wrote Letters to Prince *Edward* by certain Meſſengers on purpoſe, humbly imploring his ſafe Conduct to come to Him, as alſo his Aſſiſtance to reſtore Him to the Crown: Which Letters being received by the Prince, after ſome Debate with the Lords of his Council, it was at laſt reſolved, That they ſhould ſend ſome Ships to fetch King *Pedro* from *Corunna*; but before they could ſet out, He Himſelf arrived at *Bayonne* with his Daughters, his new Wife being lately dead: From whence He was conducted to the Prince's Court at *Bourdeaux*, where He was kindly received and nobly entertain'd; and upon renewing his Requeſt to the Prince for his Aſſiſtance to reſtore Him, it was again ſtiffly debated in Council; ſome of the more prudent maintaining, that it was neither ſafe, nor yet worthy of his Highneſs's great Honour and Reputation, for Him to undertake the Defence of ſo *Cruel* and *Wicked* a Tyrant, who could ſcarce be obliged by any Articles to perform the Conditions that ſhould be agreed on between them, or indeed to perform the common Duties of Gratitude. But the Prince being moved by Principles of Honour, made anſwer, That tho He knew He had committed a great many horrid Actions, yet ſince He had implored his Aſſiſtance, He did not think fit that a Baſtard ſhould diſinherit his Brother, the right Heir of the Crown, which no King nor their Sons ought by any means to permit, ſince it was an Affront and Prejudice to their Royal Dignity; and beſides this He urged thoſe Antient Alliances that had been made between the King his Father and Don *Pedro*: Upon all which Conſiderations He was reſolved to give Him his Aſſiſtance, with which Opinion his Counſellors at laſt alſo complyed; nevertheleſs it was reſolved that nothing ſhould be concluded, till He had received the King his Father's Advice and Conſent concerning it. Whereupon the Prince preſently diſpatched four Knights into *England*, who having deliver'd his Letters to the King his Father, it was by Him propos'd in Council what was fit to be done in this Affair; where upon a long and ſerious Debate, it was carried by the major part, that it was both juſt and reaſonable for the Prince to aſſiſt and protect the King of *Caſtile*; and the Duke of *Lancaſter* then obtain'd leave to go over and aſſiſt the Prince his Brother in this intended Expedition.

[ʼ] Froiſ. c. 231.

* Froiſſart *calls it* Coulogne, *but I ſuppoſe it is a miſtake in the Scribe.*

Peter *takes Refuge at* Corunna.

He arrives at Bourdeaux, *and is kindly received by the Prince.*

The Prince ſends to his Father for his Conſent, which is granted.

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[1] Id. c. 132.

The Prince ſummons the Eſtates of Aquitain, *who agree to this War on certain Conditions.*

The [1] Meſſengers being return'd to *Bourdeaux*, deliver'd to the Prince his Father's Letters, and thereupon He aſſembled a Council or Parliament of the Eſtates of *Aquitain* and *Bayonne*; who, finding their Prince highly inclin'd to this Voyage, came to this Reſolve, That they were willing enough to undertake it, provided they and the Men they ſhould raiſe, might be well paid and rewarded for their pains; which King *Pedro* promiſing and undertaking to perform, the Expedition was immediately agreed to by them all; and in the mean time the Prince Himſelf engaged to advance whatſoever Mony ſhould be neceſſary for this Undertaking.

The King of Navarre *perſwaded to join with* Don Pedro.

[*] *In* Froiſſart *it is* Francs, *but it ſhould be* Florins, *as all other Writers have it.*

In ſhort, it is needleſs to repeat all the Conditions that were agreed to between this expel'd King and the Prince, in order to his Reſtoration, ſince He never perform'd any part of them as He ought to have done; only it is worth our notice, that *Charles* King of *Navarre*, being now return'd into his own Kingdom, was (tho with ſome Difficulty) perſwaded to quit it for a time, and come to this Aſſembly, where He made an Agreement with Don *Pedro* and the Prince of *Wales*, upon that King's Promiſe to reſtore certain Territories and Places, which He had forcibly ſeized on the Borders of *Navarre*; and upon paying down twenty thouſand [*] *Florins*, He would order the Paſſages of the *Pyrenean* Mountains to be laid open, thereby to give the Prince's Army a free Way into *Caſtile*, without which it had been impoſſible for them to have got thither, ſince the King of *Arragon* their Enemy, had ſtopped up all the Avenues thro his Territories.

The Conditions granted by Don Pedro *to the Prince of* Wales.

[†] Ex Charta in Cam. Ducat. Lancaſt. *cited in* Sandford's *Gen. Hiſt.* p. 185.

The Prince's Grant to the D. of Lancaſter.

King Pedro's *Charter of Precedence granted to K.* Edward.

But the Prince at that time obtain'd of King *Pedro* very advantageous Conditions, ſince He not only engaged to pay fifty five thouſand *Florins* for the Wages of his Army, and likewiſe left his two Daughters Pledges for the Mony, but alſo by his Charter transfer'd the Caſtles of *Vermejo*, *Lequitio*, *Bilbao* and *Ordiales*, with the Province of *Biſcay*, to Pr. *Edward* and his Heirs for ever, wholly diſcharg'd of all Sovereignty and Reſort; and accordingly we find the Prince to uſe, beſides his former Titles, that of Lord of *Biſcay*, and of the Caſtle of *Ordiales*, as appears by an [†] Inſtrument bearing date the eighth day of *October* in the Year 1370. whereby He grants unto his Brother *John* Duke of *Lancaſter*, the Caſtle and Town of *la Roche Sur Yon*, and ſtiles Himſelf *Edward*, eldeſt Son of the King of *France* and of *England*, Prince of *Aquitain*, &c. Lord of *Biſcay*, and of the Caſtle of *Ordiales*. And as a farther Teſtimony of the great Honor and Reſpect K. *Pedro* had for K. *Edward* and the *Engliſh* Nation, He then ſeal'd another Charter, whereby He granted to King *Edward*, and the Prince his Son, and to their Heirs and Succeſſors, Kings and Princes of *England* for ever; that whenſoever it ſhould pleaſe any of them to be in Perſon in the Wars with any King of *Caſtile*, againſt the King of *Granada*, or any other Enemy of the *Chriſtian* Faith, they ſhould have the chief Place in the Vanguard, above all other Princes of *Chriſtendom*; and that altho at ſuch a time neither of them ſhould be there in Perſon, yet there ſhould always be provided by the Kings of *Caſtile* and their Succeſſors, a Standard of the Arms of *England*, to be born in the ſame place for the Honour of *England*. This Charter is ſtill preſerved in the Chapter-houſe at *Weſtminſter*, and is publiſh'd in the Original *Spaniſh* by the Learned Mr.

Selden

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* *Selden* in his *Titles of Honour*; and in Engliſh by the Reverend Mr. † *Barns*, in his elaborate Hiſtory of King *Edward* III. yet theſe were all mere empty Titles, and ſignified nothing either to this King or his Son.

* 1 Part. c.8. p. 266.
† P. 684.
* Froiſ.c.133.

* All things being thus ſettled between theſe two Kings, and Prince *Edward* (who was now reſolved to reſtore *Don Pedro*) there was nothing remaining, but to find old experienced Soldiers ſufficient for ſo great an Enterprize; for which purpoſe He ſent private Meſſengers into *Spain* to the *Engliſh* Captains and Officers of the *Companions*, * the chief of whom were Sir *Hugh Calverly* and Sir *Robert Knolls*, who had lately help'd to place King *Henry* on the Throne, to engage them and their Followers to quit his Service, and come and ſerve the Prince of *Wales*, which they being moſt of them *Engliſh*-men, or *Gaſcoignes*, readily accepted, as well out of Duty as hopes of Plunder; and ſo having obtain'd of K. *Henry* the Pay due to them and their Men (He being glad to be rid of ſuch troubleſom Gueſts, and thinking himſelf ſafe enough without them) gave them leave to depart: Upon which leaving *Caſtile*, they paſſed over the Mountains of *Navarre* into *France*; in * the Borders of which being ſet upon by the Nobility of thoſe Parts, who looked upon them as the ſworn Enemies of their Country, they could not get into Prince *Edward*'s Territories without great Difficulties; for when they came near *Montauban*, to the number of about four or five thouſand, the Earl of *Narbonne*, and the Seneſchal of *Tholouſe*, with the Governours of other Towns for the *French* King, having got together ſufficient Forces, fell upon them, and there began a furious Battel between them; but at laſt the *Companions* being aſſiſted by Sir *John Combes* Governour of that Place for the Prince, defeated the *French* Army, and took the Earl of *Narbonne* and ſeveral others Priſoners, with a great deal of rich Booty, and killed a great number of them upon the place. This Victory was obtain'd the fourteenth of *Auguſt* this Year: And theſe *Companions*, tho in ſeveral Parties, arrived at laſt at *Bourdeaux*, to the number of about Twelve thouſand, whom the Prince paid and maintain'd to his great Charge all the reſt of the Year.

* T. W.
Prince Edward *ſends to the* Companions *in* Spain *to come to his Aſſiſtance.*

* Id. c. 134.
They leave Spain, *and defeat the* French *Army.*

But I muſt here obſerve, that one main Reaſon why theſe *Companions* ſo eaſily quitted King *Henry*, was, that *Bertrand de Gueſclin* who had brought them over to Him, was then gone back to *France* about his own Occaſions: Yet ſo ſoon as he heard of Prince *Edward*'s Deſign, he immediately return'd back with a ſtrong Party of *Bretons* to ſupport King *Henry*'s Intereſt: and I take the more notice of this, becauſe * *Mezeray* ſuppoſes, that the great Jealouſie Prince *Edward* had entertain'd of the Glory that *Gueſclin* had gain'd by his late Expedition into *Spain*, was the chief Reaſon why the Prince now undertook to reſtore King *Pedro*; whereas it appears by what hath been already related, that the Prince perform'd this upon nobler Motives; neither was the late Succeſs of *Gueſclin* (a mere Soldier of Fortune) over King *Pedro*, who had been deſerted by his Subjects, a proper Object of the Envy of ſo famous a Warrior as the Prince of *Wales*.

Upon the News of Pr. Edward's *engaging in this Enterprize,* Bretrand de Gueſclin *returns into* Spain.

* Ad hunc An

The * reſt of this Year was ſpent in making ſufficient Proviſions both of Men and Mony in order to the next Campagne, which the Prince reſolved

* Froiſ.c.133.

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reſolved to undertake ſo ſoon as the Seaſon would permit: But He was then ſo grievouſly put to it, that he was forced to melt down his Plate into Mony, to give to theſe *Companions* who were come to his Aſſiſtance. In the mean while I find nothing worth obſerving, [s] but that *James*, King of *Majorca*, the Son of him who is falſly ſuppoſed to have been kill'd at the Battel of *Creſſie* (or as Others relate, murder'd by his Uncle *Pedro*, King of *Arragon*, in Priſon at *Barcelona*) indeed had been lately married to *Joan* Queen of *Naples* and *Sicily*, and now applied Himſelf to Prince *Edward*, imploring his Aſſiſtance to revenge the Death of his Father, and to recover his Right in the Kingdom of *Majorca*, and to the Earldoms of *Rouſſillon* and *Cerdonna*. The Prince made Him very welcome, maintain'd Him ſuitable to his Dignity, and gave Him great hopes that He would reſtore Him to the Dominions his Father had loſt; but tho He attended the Prince in his Expedition the next Year, yet I do not read that He was ever able to do any thing for Him. Nor do I meet with any thing to have been done in *England* in the mean while, but that King *Edward* gave leave for a great Number of Voluntiers to liſt themſelves for the Prince's Service, who were commanded by *John* Duke of *Lancaſter* to go to his Brother the Prince of *Wales*, being in all Four hundred choſen Men of Arms, and Four hundred Archers; at the News of whoſe coming He very much rejoiced.

[s] Id. c. 135.

King of Majorca *applys to* Pr. Edward *to be reſtor'd to his Kingdom.*

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While the Prince of *Wales* was thus imployed at *Bourdeaux* in making Preparations for his intended Expedition, the beautiful Princeſs his Conſort was on [t] the Twelfth Day brought to Bed of a ſecond Son, who was called *Richard*; and after the Death of *Edward* his elder Brother (who died about ſeven Years of Age) and the deceaſe of his Father and Grandfather, He ſucceeded Him by the Name of King *Richard the Second*.

[t] T. W. Froiſ. c. 136.

K. Richard *the 2d born at* Bourdeaux.

So ſoon as this [u] Infant was Chriſtened, Prince *Edward* with King *Pedro*, attended by a great Number of the Nobility, left *Bourdeaux*, and followed the Army which was marched ſome days before: And when they were arrived at the City of *D'aſt* in *Gaſcoigne*, He ſtaid there a few days, becauſe He heard his Brother the Duke of *Lancaſter* was newly landed with his Forces, and was making haſt to come to Him; which he did not long after, and was received with great Joy and Kindneſs. Whilſt the Prince remained here, the News came that the King of *Navarre* was reconciled to King *Henry* the Baſtard, which very much diſturbed the Prince and *Don Pedro*, and all that were with them. But when he knew that the King of *Navarre* was at St. *Jean Pie de Port*, He ſent his Brother the Duke of *Lancaſter* and the Lord *John Chandois* thither, with a ſmall Retinue, there to diſcourſe the King, and try if they could again fix Him to their Intereſt; who thereupon agreed to have an Enterview with King *Pedro* and the Prince, at a Town called *Pierre-ferrade*, or *Peyre-hourade*, on the Borders of *Navarre*: where being met, that King more ſolemnly renewed the Agreement with King *Pedro* for the delivery of the Places and payment of the Sum agreed on; for till that was done He would do nothing, and being Himſelf a Prince of great Subtilty and Falſehood, it is no wonder if He were jealous of the Sincerity of others. This ended, they parted Friends, and the Avenues of the Mountains being

[u] Id. ib.

The Prince leaves Bourdeaux, *and comes to* D'aſt.

The King of Navarre *renews his former Agreement with* Don Pedro.

being open, they might paſs when they pleaſed; the [3] *Navarrois* being bound to find the Army Proviſions for their Mony: So all things being ready for a March, about the end of *February*, they began to paſs the *Pireneans*; the Army divided into three Battalions, marched three ſeveral days one after another, becauſe the Paſſages of the Mountains were ſo ſtrait, that they could not take different Ways. During [4] this March, the King of *Navarre* plaid a very falſe and cowardly Trick; for, to avoid accompanying Prince *Edward* in this Expedition, He by a private Agreement, ſuffered Himſelf to be taken Priſoner by a Knight of *Bretagne*, called Sir *Oliver Manny*, by whom He was ſent to the King of *Arragon*, where he was detain'd for ſome time, till the War in *Caſtile* was over, and then he was ſet at Liberty without any Ranſom: But to return to the Matter.

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[3] Id. c. 137.

The Prince's Army begins to paſs the Pireneans.

[4] Id. ib. & Chron. Franc. MS.

King of Navarre *ſuffers himſelf to be taken Priſoner.*

I ſhall ſay no more concerning the March of this Army, [5] but that the firſt Battalion was led by the Earl of *Lancaſter* and Lord *Chandois*, with divers other Perſons of Quality; after whom, the day following being Tueſday, the ſecond Body began to march, and was led by the Prince of *Wales*, King *Pedro*, with many Noblemen of *England* and *Aquitain*; and on the third day, the laſt Diviſion advanced, commanded by *James* King of *Majorca*, the Counts of *Armagnac* and *Albret*, with other Noblemen of *Gaſcoigne* and *Bretagne*. Theſe, with their reſpective Forces, paſſed the Mountains with much difficulty, by reaſon of the great Winds and the Snow that ſtill lay there; ſo that they loſt many Men and Horſes in their paſſage: and then marching towards *Pampelona* in *Navarre*, they encamped in the Country about it, to refreſh themſelves and their Horſes after ſo long a Fatigue; whilſt the Prince and King *Pedro*, with the reſt of the Nobility, took up their Quarters in the City it ſelf, into which they had been invited by the King of *Navarre*.

[5] Id. ib.

The manner of the Armies march.

They come to Pampelona.

From hence theſe Princes marched in Battel Array towards the Borders of *Caſtile*; where in the mean while King *Henry* being highly beloved by his Subjects for his juſt and equal Government, had raiſed an Army of near a hundred thouſand Men, with which he advanced towards the Frontiers to meet the Prince of *Wales*, who with his Forces went on without any Reſiſtance till they came to *Salvaterra* a Town on the Borders of *Caſtile*, which was preſently ſurrender'd to them: and here the Prince received Intelligence, that King *Henry* was not far off with his whole Army; whereupon He immediately marched from thence to a Place called *Victoria*, near which he drew up his Army, conſiſting of about Fifty thouſand Men in Battel Array, expecting King *Henry*'s Approach, who now made a halt with all his Forces, till Sir *Bertrand de Gueſclin* with Four thouſand Men at Arms, beſide ſome others out of *Arragon*, could arrive. But the day [2] following, the Count *de Teillo* Brother to King *Henry*, received his Orders to march out with Six thouſand Men at Arms to view the *Engliſh* Army, and meeting with a Party of them who were going to the Camp, he not only kill'd moſt of them, but falling upon the Duke of *Lancaſter*'s Battalion, as they lay encamped, beat down their Tents, and kill'd a great many of his Men, till the Earl fearing he ſhould be engaged with the whole Army, thought it beſt to retreat, which he did without any great damage; but in his return met with

K. Henry *raiſes a great Army, with which he waits the Prince's coming.*

The Prince arrives at Victoria.

[2] Id. c. 236.

The Count de Teillo *routs a Party of the* Engliſh *Army.*

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Kills Sir Will. Felton, *and routs his Forces.*

The Prince returns K. Henry *an Anſwer to his Letter.*

with another Party of *Engliſh* Forces of about Five thouſand, commanded by Sir *Thomas* and Sir *William Felton*, the laſt of whom by his Raſhneſs here loſt his Life, and the other with moſt of the Men were either ſlain or taken Priſoners, tho they defended themſelves with great Bravery and Courage. With which Succeſs the *Spaniſh* King and his Army being much animated, they marched forward to meet Prince *Edward* and his Army, who were now diſlodged from the Place where they had been, and were come to a Town call'd *Vianna*, near the River *Ebro* on the confines of *Navarre*; where hearing that King *Henry* lay encamped before *Najara*, He ſent Him a Letter by his Herald, in anſwer to another He had a little before receiv'd from Him, wherein He had deſired to know, *Upon what ground the Prince made War upon Him*; to which He return'd in Anſwer, *That it was to maintain Right and Juſtice, as it becomes all Kings and Princes, and in perſuance of the Antient Alliances between the King his Father and King* Pedro; *yet nevertheleſs that if He* (Don Henry) *were willing to it, ſince He heard he was a Worthy and Valiant Perſon, He would do his Endeavour to reconcile Him to the King his Brother, who ſhould allow Him a part of the Kingdom, provided He would renounce his Pretenſions to the reſt:* and ſo left Him to take the beſt Advice about it. But theſe Propoſals were wholly refuſ'd, ſince He very well knew that in his caſe he muſt either conquer, die, or at leaſt quit the Kingdom.

[1] Id. c. 237.

The Battel of Najara, *where* K. Henry's *Brothers quit the Field.*

The Spaniſh *Army is routed.*

Then [1] on Friday, being the Second of *April*, the two Armies approached each other not far from *Najara*, and the next Morning early they engaged. I ſhall not trouble you with the Order of their ſeveral Battalions; but not long after the beginning of the Fight (wherein the *Spaniards* at firſt acquitted themſelves well) the Prince of *Wales* with King *Pedro* brought up the main Battel, and fell upon Count de *Teillo* and his Brother *Don Sancho*, who, being either terrified by the Prince's briſk and reſolute Attacque, or for ſome other reaſons, upon the very firſt Charge fled out of the Field with above Three thouſand Lances in their company; which ſo diſcouraged the reſt of the next Battalion, that being charged afreſh by the King of *Majorca* and the *Captal* of *Buche* (whoſe Diviſion immediately followed that of the Prince) the whole Battalion was quite routed and put to flight; whilſt the Prince, who aim'd at greater matters, marched forward againſt the main Body, conſiſting of about ſixty thouſand Men, commanded by King *Henry* Himſelf. Here the Fight was very fierce and bloody; for as the *Spaniſh* Foot conſiſted of a great many Slingers, who ſlung Stones with a mighty force, ſo the *Engliſh* Archers with their Arrows did a great deal of miſchief both to Horſe and Man; and there was a ſharp Conflict between the *Engliſh* Soldiers and thoſe of *France* headed by Sir *Bertrand de Gueſclin*, who commanded the *French* and *Britiſh* Voluntiers; and theſe being all old Soldiers, behaved themſelves ſo gallantly, that if the *Spaniards* had acquitted themſelves as well, they would in all probability have obtain'd the Victory. But being cloſely preſſed by the Troops of the *Companions* and others on the *Engliſh* ſide, they at laſt began to give Ground; and in fine, notwithſtanding all King *Henry* could do, tho He rallied his Men three ſeveral times that day, and made them many ſhort encouraging Speeches, they were at laſt quite routed and put to flight, with the loſs of betwixt Five or Six thouſand, who were left dead upon the

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the Place; which when King *Henry* ſaw, He mounted upon a ſwift Genet, and eſcaped into *Arragon:* but as for the reſt, Sir *Bertrand de Gueſclin* (notwithſtanding all his Valour and Conduct) was there taken Priſoner, with the Lord *Arnold d'Endreghan* Mareſchal of *France*, as were alſo a great many Officers and Soldiers of that Kingdom; but for the *Spaniſh* Priſoners, who were above Two thouſand, [2] the Chief of them were the * Earl of *Denia* in *Valencia*, the Grand Prior of St. *Jago*, and the Great Maſter of *Calatrava*, with divers others of conſiderable Note; the two laſt were ſeized in the Town of *Najara* not far off, which was quickly taken by the Prince's Forces, together with a great many Jewels and rich Treaſure belonging to King *Henry*. As for the number of the ſlain they were between Five and Six thouſand Men, beſides thoſe that were cut off in their flight, which might be about Three thouſand more. This Battel was fought between *Najara* and *Navaret*, in the Province of *Rioxa* in old *Caſtile*, on the Third day of *April*, being Saturday, *An. Dom.* 1367.

Sir Bertrand de Gueſclin, *and Mareſchal* D'Endreghan *taken priſoners.*

[2] T. W.

* Froiſ. ib.

About [3] Noon, when the Battel was ended, the Prince cauſed his Banner to be erected on the ſide of a little Hill, thereby to direct his Men in their return from the Chace; whither not long after came the Duke of *Lancaſter*, the Lord *Chandois* (who had behaved himſelf very Gallantly that day) and many other Earls and Barons of *Gaſcoigne:* then came alſo from the Perſuit the King of *Majorca*, and preſently after Him King *Pedro* Himſelf, mounted on a Black Courſer, having fought valiantly to recover his Crown; who, when He came near the Prince, alighted, and would have kneel'd to give Him Thanks, but He, running to embrace Him, would no ways permit it; however bowing very low, He gave Him Thanks, that *by his Valor and Aſſiſtance He had now regain'd his Crown*; to which the Prince modeſtly reply'd: *Sir, render Thanks to God Almighty, and give Him all the Praiſe; for by Him alone, and not by Me, have you obtain'd this Victory.* Then the Prince having aſſembled his Council, conſulted a while what was to be done in the preſent Conjuncture, for during this time his Men were return'd from the perſuit; and being near Night, it was reſolv'd they ſhould go to their Quarters; where having poſſeſs'd themſelves of the *Spaniſh* Camp, they were very well refreſhed with the Proviſions their Enemies had left, for they had been before in great want. The next Morning when the Prince was ready, He received the Solemn Congratulations of his Brother the Duke of *Lancaſter*, and the reſt of the Princes, Noblemen and Commanders in the Army; but when K. *Pedro* began to threaten what ſevere Revenge He would take againſt his Baſtard Brothers, and all thoſe who had rebel'd againſt Him, Prince *Edward* generouſly interceded for them, and deſired the King's Pardon, except for one Arch-rebel *William Garilz*, who He was contented ſhould be made an Example. This Requeſt King *Pedro* conſented to, tho much againſt his Inclination, ſince He could not handſomly deny any thing to his Benefactor, tho He did not afterwards make good what He had now promiſed.

[3] Id. c. 242.

The Prince, &c. return from the perſuit.

K. Pedro *comes up to the Prince, with the particulars of their meeting.*

The Prince receives the Congratulations of his Brother and the reſt of the Commanders.

Preſently after this, [4] King *Pedro* took his Leave of the Prince, and being attended by his Baſe Brother, the Earl of *Sancellona*, and divers others of his Subjects (who had come in upon Promiſe of Pardon) and guarded by a ſtrong Party of the *Engliſh* Army, marched to *Burgos*, where the Magiſtrates preſently opened the Gates, and begging the

[4] Id. ibid.

K. Pedro *takes Leave of the Prince, and goes to* Burgos.

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King's Pardon, received Him with all outward ſigns of Satisfaction; and three Days after the Prince Himſelf, accompanied with the King of *Majorca*, and the Duke of *Lancaſter*, and the reſt of the Nobility, came to that City, but the Soldiers lay encamped without it in the Fields. Here King *Pedro* and the Prince paſſed the *Eaſter*, and the former then received the Submiſſions of all the reſt of the Cities and Towns of *Caſtile*, and thoſe other ſmaller Provinces that belonged to that Kingdom, all whom, on the renewing their Homages and Oaths of Fidelity, He freely forgave and pardon'd: ſo that the whole Nation quickly ſubmitting, and making their Peace, ſcarce any thing was to be ſeen at *Burgos* for many days but Feaſting, Entertainments and all ſorts of Diverſions.

Where the King and Prince paſs their Eaſter.

The Prince puts the King in mind of his Promiſe to pay the Army.

After [1] which King *Pedro*, being now ſettled in his Throne, the Prince civilly put Him in mind of his Agreement in *France*, and that He would take all the ſpeedy Care he could to raiſe Mony ſufficient to pay the Army, that it might be diſbanded as ſoon as poſſible, ſince it was not only a great Expence to them both, but alſo a mighty Burthen to the Country where they lay; to which the King reply'd, *That He had not the Mony yet ready, but would take care to raiſe it, as ſoon as He had marched to the Borders of* Sevil, *and there ſettled his Affairs; in the mean while He deſired Him to ſtay at* Valladolid, *promiſing Him to return about* Whitſontide; tho He never was as good as his Word, as you will preſently find: for when the Prince had lain with his Army in and about *Valladolid* till *Midſummer*, expecting the King's return, and that He neither ſaw Him nor heard any thing from Him; He was extreamly diſpleas'd at it, and thinking Himſelf deluded, was adviſed by his Council to ſend certain Knights to the King to know his Reſolutions, and why He had not made good his former Engagements. He received them very civilly, and made them a plauſible Excuſe for his Failure; that his Subjects averred they could not raiſe any Mony, by reaſon the *Engliſh* Army (and eſpecially the *Companions*) lay ſo hard upon them, who had twice or thrice robbed his Officers of the Mony He was ſending to the Prince; and therefore He now deſired Him to diſmiſs his Soldiers ſo ſoon as he could, eſpecially the *Companions*, who ſpoiled and ravaged the Country where-ever they came; and if the Prince's occaſions requir'd his Departure, He need only leave behind Him ſome of his faithful Knights, to whom He would certainly pay all ſuch Sums as ſhould appear to be due according to his late Engagement in *France*.

And finding Himſelf at laſt deluded, He is much diſpleaſed.

The King excuſes the Failure of his Promiſe.

The Prince finding Himſelf over-reached, is adviſed to return Home.

This [2] being all that the Prince's Deputies could then obtain of Him, they return'd back to their Lord, and gave Him an account of what the King had ſaid to them; at which the Prince was more out of Temper than before: for He now perceived that He was as *Falſe* and *Perfidious*, as He had been *Wicked* and *Cruel*. But ſeeing He could not well force Him to make good his Word, becauſe the Prince's Army not being able to endure the Summer's Heats in *Spain*, many of them were dead, and more lay in a very languiſhing condition; therefore his Council adviſed Him, That ſince He was thus over-reached by King *Pedro* to his Shame and Diſhonour, and that his Army died ſo faſt, to return Home before matters grew worſe, and by his Preſence to prevent the Attempts of the *Baſtard Henry* upon his Principality of *Aquitain*. This being reſolved on, the Mareſchal

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[1] Id. ibid.

[2] Id. c. 243.

D'Endreghan with other Knights and Eſquires of *France*, to about the number of Two hundred, were admitted to Ranſom; but as for Sir *Bertrand de Gueſclin* he ſtill continued a Priſoner, for he was look'd upon as ſo dangerous an Enemy, that it was not ſafe to let him go, becauſe he might preſently join with *Henry* the *Baſtard*, who they then heard was gone into the Country of *Bigorre*, and had got the Town of *Bagneres*, whereby He had done much miſchief in thoſe parts.

The French Priſoners are admitted to Ranſom, except Sir Bertrand de Gueſclin.

For *Henry* flying firſt to the King of *Arragon*, and not finding Him either [1] able or willing to give Him any Aſſiſtance, he went into *Languedoc* to the Duke of *Anjou*, who out of hatred to the *Engliſh* furniſhed Him with Men and Mony to invade Prince *Edward*'s Territories; and the Duke had done more, had He not, upon the Complaint of the Prince of *Wales* to the *French* King his Brother, been by Him forbidden acting any further, leſt it might produce a Breach of the Peace between the Two Kingdoms; *France* not being then in a Condition to renew the War, as you will find it was the Year following.

[1] Id ib.

K. Henry *not finding the K. of* Arragon *willing to relieve him, goes into* Languedoc.

But we ſhall now return to the Prince of *Wales*, [2] who whilſt He lay this Summer at *Valladolid*, loſt above half his Men by Fluxes or Feavers; and among others the King of *Majorca* fell ſo dangerouſly ill, that the Prince was forced to leave Him behind for the Recovery of his Health. After this Prince *Edward* took the firſt opportunity he could to march away; but ſince the King of *Navarre* neither came nor ſent to Him concerning his repaſſing thro his Country, He was forced to treat with the King of *Arragon* by certain Commiſſioners on both ſides, (who met on the Borders for that purpoſe) and it was there at laſt concluded between them, That the King ſhould lay open his Country, and permit the Prince and his Army to paſs thro freely, they paying for ſuch Proviſions as they needed and ſhould take from the People. But when the King of *Navarre* heard that Prince *Edward* was like to return without having any occaſion to paſs thro his Country, being afraid of his Diſpleaſure, He ſent to offer Him free paſſage by the ſame way He came, as alſo for the Lords and other Great Men and their Retinue, yet He would by no means ſuffer the *Companions* to paſs thro *Navarre*; wherefore the Prince order'd them according to the Agreement He had made with the King of *Arragon*, to paſs thro his Country: but becauſe He knew the paſſage thro *Navarre* was ſhorter and more commodious than the other, He choſe to go that way Himſelf, being convey'd with the reſt of his Army quite thro that Kingdom, beyond the Paſſages of *Roncevaux*; from thence the Prince marched at his eaſe till He came to *Bayonne*, where He was received with great Joy, and tarried there Four days, to refreſh Himſelf and his Men. After this He proceeded towards *Bourdeaux*, where they received Him in Triumph: He was here alſo met and welcom'd by his Princeſs with her Eldeſt Son *Edward*, who was then about Three years of Age; and here likewiſe the Prince diſbanded the greateſt part of his Army, and ſent the Lords and Captains of *Gaſcoigne* and others to their ſeveral Countrys, having own'd his Obligations to them, and promiſed to pay every Man punctually what was due, ſo ſoon as He could raiſe Mony, even tho King *D. Pedro* ſhould not keep touch with Him, *And, for his own part, Honour ſhould be his Reward.* Not long after this, the *Companions* that went thro *Arragon*, return'd into the Dutchy of *Aquitain*, where they had Quarters aſſign'd them, till they could be paid their Wages.

[2] Id. ib.

The Prince loſes above half his Men.

He agrees with the K. of Arragon *for Leave to paſs thro his Country.*

He arrives at Bourdeaux, *where he is received in Triumph.*

But

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[1] Id. ib.
K. Henry *returns into* Arragon.

But [1] King *Henry* the *Baſtard* the mean while hearing of the Prince's return into *Gaſcoigne*, thought it beſt not to ſtay any longer in thoſe Parts; therefore retiring with his Forces into *Arragon*, He was again kindly received by that King, who promis'd to aſſiſt Him againſt his Brother: but we ſhall hear more of *Henry*'s Succeſs the next Year.

This Expedition proved very unfortunate to Pr. Edward.

And thus ended this Famous Expedition of Prince *Edward*, which tho (as Great and all Extraordinary Actions do) it procur'd Him a deal of outward Glory, yet whether it was that God did not approve of his aſſiſting ſo wicked a Tyrant, or that the Sins of the *Engliſh* Nation call'd for freſh Judgments, I leave it to the Great Diſpoſer of all things to determin. But as we muſt here put a period to the Health and Happineſs of this Prince's Life, for in this Expedition He contracted ſo incurable an Indiſpoſition, as turning to a Dropſy, ever after render'd Him unfit for Action, and never left him till He died: ſo we muſt likewiſe conclude all the Happineſs and good Succeſs of King *Edward*'s Reign, during the reſt of which we ſhall ſcarce meet with any thing, but the untimely Death of his Sons, and that of his Deareſt Conſort the Queen, the Diſcontents and Factions of his Nobility and Subjects, with the loſs of all He had gotten by his Conqueſts in *France*; nor was the ſtate of things any whit better, but rather much worſe during the Reign of his Grandſon.

[2] H. K. Col. 2629.
On K. Henry's *invading* Gaſcoigne, *the Earl of* Cambridge *is ſent thither.*

[3] T. W.
Pope Urban *goes to* Rome, *to ſettle Affairs there.*

As for the Affairs of *England*, I find nothing worth noting this Year, [2] only upon the News of King *Henry* the *Baſtard*'s Invading *Gaſcoigne*, *Edmund* Earl of *Cambridge*, the King's Fifth Son, was ſent over thither with Five hundred Men at Arms, and a competent number of Archers; but that Prince being retir'd before his Arrival, I cannot find he perform'd any thing worth our Obſervance. As to Eccleſiaſtical Affairs, it is remarkable that [3] Pope *Urban* the V. remov'd his Court this Year from *Avignon* to *Rome*, to ſettle Affairs there, which by the long Abſence of his Predeceſſors were very much out of order; but He ſtay'd not above three Years in *Italy*, and then return'd to *Avignon*.

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[4] Froiſ. c. 244. Paul. Jov. in Vit. Galeatii.
The Match concluded between Lionel *Duke of* Clarence, *and the Daughter of the Viſcount of* Milan.

After the Prince's coming back from *Bourdeaux*, nothing happen'd worth our taking notice of, [4] until the end of *April*, when a Match was concluded (according to a Treaty that had been begun two Years ago) between *Lionel* Duke of *Clarence* (a young Widower) and the Lady *Violantis*, Second Daughter to *Galeazzo* Viſcount of *Milan*, upon very Advantageous Conditions, That Prince *Lionel* ſhould receive two Millions of *Florins* of Gold, together with the Cities of *Mondovi* and *Longueville*, as her Dowry; upon which the Prince made great Preparations to go into *Italy* with all ſpeed poſſible thro *France*, and being arrived there, He was received and conducted to *Paris* by ſome Perſons of the higheſt Quality, and was moſt magnificently treated there by the King, Queen, and other Princes of the Blood Royal. He ſtay'd there but few days, and then took his Journy for *Italy*; and having paſſed thro *France*, arrived at *Chambery* in *Savoy*, and there again he was nobly treated by the Duke, who after ſome ſhort time accompanied him to *Milan*, where he ſaw his Niece, Daughter to Duke *Galeazzo*, ſolemnly married to Duke *Lionel* on the Nine and twentieth of *May*, in the Cathedral Church of that City, the Duke her Father Celebrating the Marriage with Tourneaments, Balls, and other Magnificent Entertainments, which put him to great Expence, as alſo in noble and rich

Which is celebrated at Milan.

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rich Preſents, as Horſes, Plate, Furniture, &c. upon the Duke his Son-in Law, and thoſe other Noblemen that attended him. The Solemnities being over, Duke *Lionel* ſpent the reſt of the Summer with his young Lady in ſuch Sports and Diverſions as became a Prince of his Years and Quality, till about five Months after, either by change of Air, Diet, or too much Luxury, falling dangerouſly ill in the City of *Alba Pompeia*, now called *Longueville*, in the Marquiſat of *Montferrat*, He within a few days unhappily deceaſed, tho not without ſuſpicion of Poiſon given by ſome of that Family, who envy'd that Glory He was like to obtain to the diminution of their Grandeur. He died greatly lamented, not only by the Dutcheſs his Wife, but by all that knew Him, being one of the moſt Beautiful, Affable and Valiant Princes of that time. As for the young Lady his Widow, [1] tho ſhe was again married to *Otto Palæologus* Marqueſs of *Montferrat*, yet ſhe did not long enjoy him, for he was ſtab'd by an Hoſtler on the Mountains of *Parma*. Before I diſmiſs this Melancholy Subject, I cannot but take notice, that [2] the Lord *Edward Spencer* (who came over with the deceaſed Prince) together with Sir *John Hawkwood*, that had married the baſe Daughter of the other Viſcount *Barnabo* (as hath been already obſerv'd, and had thereby a great Intereſt) muſter'd up the Voluntiers he had brought along with Him, which together with other Forces, that called themſelves the *White-Company*, made fierce War upon the Viſcounts of *Milan*, in Revenge of Duke *Lionel's* Death, whom they looked upon as poiſon'd, until thoſe Princes had by Oath, as well as by other Means, ſatisfy'd them of their Innocence and unfeigned Sorrow for the Death of ſo worthy and near a Relation. But it is time to return to *England*.

The Duke falls ſick and dies, not without ſuſpicion of being poiſon'd.

His Widow is married to the Marqueſs of Montferrat.

The L. Spencer *and Sir* John Hawkwood *make War on the Viſcounts of* Milan, *to revenge his death.*

Tho King *Edward* received the ſad News of his Son's Death with that Equanimity of which He was always Maſter, yet it was certainly an extreme Affliction to Him, as being the firſt Attacque of Adverſe Fortune that had befel Him. He [3] order'd his Body to be buried (according to his Teſtament) at the Monaſtery of *Clare* in *Suffolk*, near that of his firſt Lady *Elizabeth de Burgh* Counteſs of *Ulſter*, by whom He left one only Daughter, *Philippe*, who was not long after married to *Edmund Mortimer*, the Third Earl of *Marche*.

But We muſt now look back ſome Months, to the beginning of *May*, when, according to the * King's Summons, a Parliament was aſſembled at *Weſtminſter*, in the Painted Chamber; but the Lords and Commons were then adjourn'd until the Thurſday following, and then *Simon Langham* Arch-Biſhop of *Canterbury*, in the preſence of the King, Lords and Commons then aſſembled, † ſpoke to this effect, That the King yielded unto God Almighty moſt hearty thanks for having given to Him the Victory over all his Enemies, as alſo for the Peaceable and Flouriſhing Condition of his Realm, and for the great Loyalty of his Subjects, and their conſtant Readineſs to ſerve him, both in their Bodys and Eſtates, all which Bleſſings he deſired as much as in him lay to continue, or rather to increaſe: and that He might the better ſucceed in that Reſolution, He had at this time called his Parliament, to confer with them concerning matters relating to the Premiſes. So the remainder of the Day was ſpent in appointing Receivers and Tryers of Petitions, according to the accuſtom'd manner.

A Parliament ſummon'd.

The cauſes of it declared by Simon Langham *Arch biſhop of* Canterbury.

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[1] Id. ibid.

[2] T.W. Hypod. Neuſt. Froiſ. c. 242.

[3] Dugd. Bar. 2. Vol. p. 167.

* Rot. Clauſ. 42 E. 3. m. 22.

† Rot. Parl. 42 E. 3. n. 1. Cot. Abr. p. 100.

He further declares the Subſtance of the Treaty with the K. of Scots, *and asks the Parliament's Advice upon it.*

The [1] next day, the ſaid Arch-Biſhop farther declared the Subſtance of a Treaty between the King's Commiſſioners, and *David Bruce* King of *Scotland*, who had lately made this Offer, *That He was willing to preſerve a perpetual Peace with* England, *if He might quietly enjoy the Kingdom of* Scotland, *free and diſcharg'd of all Homage to that Crown, ſince to hold it otherwiſe would be a conſtant Reproach to Him and his Kingdom.* Concerning which Terms of Peace the Lords and Commons being ask'd their Advice, gave in their Anſwers ſeverally to one and the ſame effect, *viz. that they could not aſſent to any ſuch Peace upon any account, without a diſheriſon of the King, his Heirs and Crown, to which they themſelves were ſworn; and therefore muſt adviſe Him not to hearken to any ſuch Propoſition.*

The Parliament grant the King a great Subſidy upon Wool, &c.

[2] After which the Arch-Biſhop in the King's name gave thanks to the ſaid Eſtates for their ready compliance in aſſiſting the King's wants by Aids and Subſidies; and ſhewed them farther, how at that time the King ſtood in as great need of a conſiderable Supply as ever to pay off his Debts. Whereupon the Lords and Commons granted Him for two Years out of every Wool-pack thirty ſix Shillings and eight Pence, for every twelveſcore of Fells as much, and for every Laſt of Skins four Pence, over and above the uſual Cuſtom of ſix Shillings and eight Pence for every Wool-pack, and the ſame for every twelveſcore of Fells, and of thirteen Shillings and four Pence for every Laſt of Skins. Then certain new Statutes were prepar'd for the King's Royal Aſſent, and certain old ones were explain'd and confirm'd, as may be ſeen at large in the Printed Statute-Books, which for the moſt part agree exactly with the Records.

The reſt of the Buſineſs tranſacted in this Parliament.

[3] There were divers other Buſineſſes tranſacted in this Parliament, which ſince they are of no great moment, I ſhall but ſlightly mention, tho they are alſo found upon Record. On the twenty firſt of *May* the King gave thanks to the Lords and Commons for their coming, and that day all the Lords and divers of the Commons dined with the King; after which Sir *John Leigh* was brought before Him, and the Lords and Commons (I mean ſuch as dined there) to anſwer certain Objections made againſt him by *William Latimer*, concerning a Lordſhip belonging to *Robert Latimer*, with certain Lands which had been granted during his Minority, and being afterwards granted to the ſaid Sir *John Leigh*, he being *Steward* of the King's Houſhold, compel'd the ſaid *William* by Dureſs of Impriſonment to ſurrender up the Eſtate into his hands: And tho Sir *John* excuſed himſelf, as being the King's Grantee, yet was it not admitted, becauſe he had uſed force, and had not outed the ſaid *William* by due Proceſs of Law. There were alſo divers other Complaints againſt him, that as Steward of the King's Houſhold, he had cauſed ſeveral Perſons to be attached by Order of the Council, and then appear before him alone, and make anſwer out of Council; with ſeveral other Miſdemeanors too long to be here inſerted.

Sir John Leigh Leigh *committed to the Tower.*

Of all which Accuſations Sir *John* not being able to purge himſelf, was by Order of the King and Lords committed cloſe Priſoner to the *Tower*, and order'd to pay a Fine according to the King's Pleaſure; which I here take notice of, to let the Reader underſtand, that this is the firſt Precedent I can find, not only of any Accuſation or Impeachment of a Perſon in Parliament, for a ſimple Miſdemeanor, and not for Treaſon, but alſo where the Offender was committed to Priſon by the King and Lords at a private Meeting, when the Parliament was not ſitting. I have no more to add concerning this Parliament, but that it was preſently after diſſolv'd.

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[1] Rot. Parl. ib. n. 7.

[2] Ib. n. 8.

[3] Ib. n. 20.

Yet before I leave the Affairs of *England*, I muſt take notice [1] that this Arch-Biſhop of *Canterbury* above-mention'd was about the latter end of *September* following created a Cardinal of *St. Sixtus*; and reſigning his Arch-Biſhoprick, went to *Rome*, where he liv'd about eight Years in great Eſteem, being ſucceeded in this Arch-Biſhoprick by *William Witleſey* a Man of great Parts and Learning.

[1] Godwin. de Præſul.

We will paſs over into *Aquitain*, [2] where now began thoſe Diſturbances, which prov'd the ruin of the *Engliſh* Affairs in *France*; for in the beginning of this Year, Prince *Edward* being ſtill in great want of Mony, and not likely to receive any of the Arrears that were due to Him in *Spain*, He was forced to keep good part of his Forces (and eſpecially the *Companions*, who were ſtill about ſix thouſand) on foot and undiſbanded; and they having no pay, could not forbear their old trade of plundering and robbing the Country, whereof the People made loud Complaints to the Prince. He was thereupon forced to ſend to the *Companions*, commanding them either to deſiſt from their Exorbitances, or to depart his Dominions, ſince the Country was no longer able to bear them; which it ſeems either out of Love or Fear of the Prince they not long after obey'd, and paſſing the *Loire*, went into *France*; and by that time they were got into *Champaigne* and the Biſhoprick of *Rheims*, their Numbers were mightily encreas'd, many idle Fellows and diſbanded Soldiers out of hopes of Plunder joining themſelves with them, who ſtill marched on ravaging the Country as they went. Then the People loudly exclaim'd againſt the Prince of *Wales*, for imploying theſe *Companions* to make War upon them, and ſent daily Complaints thereof to their King at *Paris*, but not being able to apply a preſent Remedy ſufficient to encounter the Diſeaſe, all He could do at preſent, was, to raiſe ſome Forces to put a ſtop to their further Progreſs, of which He made the Lord *Oliver Cliſſon*, a valiant and experienced Warrior, chief Commander.

[2] Froiſ. c. 144.

Pr. Edward *being forced to keep the Troops of the Companions undiſbanded, they commit great Diſorders.*

Whereupon the People complain.

While theſe *Companions* were thus diſturbing *France*, [3] the Prince of *Wales* was adviſed by ſome of his Council, eſpecially the Biſhop of *Rodez*, then Chancellor of *Aquitain*, to raiſe a *Fouage* or Tax upon all Chimnys throughout his Principality, thereby to enable Him to pay the great Debts he had contracted by his late *Spaniſh* Expedition; and beſides, the Court which the Prince then kept was ſo great and expenſive, that there was ſcarce the like in *Chriſtendom*: Wherefore He held a Parliament of the Eſtates of *Aquitain*, for raiſing this *Fouage* at *Niort*; to which were ſummon'd all the Barons of *Gaſcoigne*, *Poictou*, *Saintogne*, and of divers other Parts, and Deputies from all the Cities and great Towns of that Principality; before all whom the Biſhop of *Rodez* declar'd in preſence of the Prince, that this *Fouage* was neceſſary to be raiſed, and that the Deſign of it was, to enable the Prince their Lord to pay ſuch Debts as He owed upon the account of his *Spaniſh* Expedition; but however it was the Prince's Intention not to continue the ſaid *Fouage* any longer than for the ſpace of five Years to come, during which time at [4] the rate of one *Frank* for each Chimny, the Prince would have a yearly Supply of

[3] Id. c. 241.

Pr. Edward *holds an Aſſembly of the Eſtates of* Aquitain, *wherein a great* Fouage *is granted.*

[4] Du Cheſne, p. 699.

[1] Froiſ. ib.

All Pr. Edward's Subjects agree to this Tax, except the Lords of the higher Gaſcoigne.

one Million and two hundred thouſand *Franks*, if the matter had been effectually put in execution. But [1] altho to this Ordinance all the *Poictovins* readily agreed, as did alſo the Deputies of *Saintogne*, *Limoſin*, *Rovergne* and *Rochelle*; yet divers of the Lords of the Marches of the higher *Gaſcoigne* reſus'd to concur with them, as the Earl of *Armagnac*, the Lord of *Albret* his Nephew, the Lord of *Conde*, the Lord of *Pincornet*, the Lord of *Cominges*, the Viſcount of *Carmaine*, the Lord *de la Barde*, and ſeveral other Barons and Deputies of Cities and Towns, who ſaid, how that "heretofore, when they were "under the *French* King, they were not then griev'd nor oppreſs'd "with any ſuch Subſidies, or Gabels; nor any more would they be "now, if they could help it: *for they ſaid, their Lands and Seigniories were free, and exempt from all ſuch Duties; and ſo the Prince "had ſworn to keep and maintain them.* Yet however theſe Lords, becauſe they durſt not openly oppoſe the Prince, and had a mind to get home as ſoon as they could, only anſwered in general, that they would go back, and take further Advice with their Tenants or Feudataries, and would then return again by ſuch a time. This was all the Anſwer that the Prince and his Council could then get from them; and ſo they broke up, and left *Niort*, having received a Command from the Prince to return again thither by a Day prefix'd, which they never perform'd.

[2] Id ib.

They reſolve to rebel rather than ſubmit to it.

Thus theſe Barons and [2] Lords of *Gaſcoigne* went to their ſeveral Countries and Seats, having firſt firmly agreed together by no means to return to the Parliament appointed by the Prince, nor to ſuffer the *Fouage* to be raiſed in their Lands, but rather to rebel againſt Him; wherefore ſhortly after the Earl of *Armagnac*, the Lord of *Albret*, the Lord of *Cominges*, the Viſcount of *Carmaine*, and the reſt of the Barons, Knights, and Gentlemen of thoſe Parts, went into *France*, and there put up their Complaints, to the *French* King's Court at *Paris*, in the Preſence of Him and his Peers, of the great Grievances and Oppreſſions which the Prince of *Wales* would now impoſe upon them; adding that in ſuch caſes their whole Reſſort and Appeal ought to be to the King of *France*, as unto their Sovereign Lord. The *French* King, who at firſt ſeem'd to make ſome ſcruple to meddle with this Affair, as that which would tend to the breaking of the Peace, which had been ſo ſolemnly eſtabliſh'd between the two Kingdoms, anſwered them, (with diſſimulation enough) "Surely, my "Lords and Gentlemen, the Juriſdiction of our Inheritance, and of "the Crown of *France*, We will always preſerve and augment to "our Power; but We have ſworn to keep ſundry Articles contain'd "in the Peace of *Bretigny*, which are not now in our remembrance; "but We ſhall inſpect them, and conſider the Tenor thereof, and as "much as in Us lies, We will do you Right, and ſhall be glad to "reconcile You with the Prince, our dear Nephew: For perhaps He "is not well adviſ'd thus to deprive either You, or your Vaſſals, of "their Cuſtoms and Franchiſes. [3] With this Anſwer for the preſent they ſeem'd contented, but tarried at *Paris*, reſolving not to return to their own Homes, nor to the Prince's Parliament, at which He was extremely diſpleas'd; but for all that He proceeded in raiſing the aforeſaid Duty; and being in great want of Mony, admitted Sir *Bertrand de Gueſclin* to ranſom himſelf for two hundred thouſand *Franks*, who

Theſe Lords, &c. appeal to the King of France *as their Sovereign.*

Who gives 'em a very ſubtil Anſwer.

[3] Id. c. 239.

who upon his diſcharge went immediately to the *French* King, and afterwards became more than ever an Enemy to Prince *Edward* and the *Engliſh* Intereſt.

I cannot but here obſerve, that ' Sir *John Chandois*, a wary and prudent Baron, and one of the Prince's chief Counſellors, when he found Matters run ſo high, and foreſaw the evil Conſequences of them, advis'd the Prince to remit this *Chimny-Mony*; but perceiving he could not prevail, that ſo he might not incur any blame in this matter on either ſide, he deſired leave to go and look after his Eſtate in *Normandy*, which the Prince admitting him to do, he return'd no more into thoſe Parts, till the breaking out of the War; and then he came again to his Aſſiſtance againſt the *French*.

' Id. ib.

The Ld Chandois *ſeeing the ill Conſequences of this Chimny-Mony, adviſes the Prince to remit it.*

But to continue our Hiſtory of the Diſturbances that now began in *Gaſcoigne*, ' the King of *France* cunningly fomented the Diſcontents of thoſe Lords and Barons and their Feudataries, till they had kindled as great a War between the two Nations, as ever had been before: For He had under-hand already aſſured to Himſelf theſe *Gaſcoigne* Lords, and the Princes of *Germany* by his ready Mony, of which He knew they were very greedy, and by that means He drew great numbers of Voluntiers into his Service, as alſo by the Perſuaſions of Sir *Bertrand de Gueſclin*, who was then mightily admired by all Military Men. The King was likewiſe furniſhed by the Eſtates of the Kingdom with ſufficient Subſidies to carry on a War, without any great Burden to the People.

' Mezeray ad hunc An.

The King of France *foments the Diſcontents of the* Gaſcoigne *Lords.*

The ' *Gaſcoigners* being thus ſupported, reſolved never to ſubmit to the *Fouage*, which the Prince would needs lay upon them, and therefore made divers freſh Remonſtrances againſt it; ſo that tho He held ſeveral Parliaments at *Niort*, *Angouleſme*, *Poictiers*, *Bourdeaux*, &c. yet theſe rebellious *Gaſcoigners* refuſed to appear at them, ſaying, that for their parts they could not ſuffer this *Fouage* to be levied in their Country, and declared that their laſt Reſſort and Appeal had ever been to the Chamber or Parliament of *France*. At this mention of *Reſſort* the Prince was extremely offended, and plainly told their Deputies, that they ought not to make any *Reſſort* or Appeal thither for the future, becauſe the *French* King had quitted for Himſelf, and his Heirs for ever, all Reſſorts and Juriſdictions whatſoever, when He reſign'd thoſe Lands entirely and abſolutely to the King of *England*; as was evident from the Tenor of the Charter of Peace, wherein theſe Matters were ſo clearly explain'd, that there is not the leaſt Clauſe in any one Article, whereby there is any Reſervation for the *French* King again to challenge any Juriſdiction over them. But tho this Meſſage of the Prince was ſent to thoſe Lords of *Gaſcoigne*, who ſtill ſtood out; yet they would not for all that come to his Parliament, but return'd him an Anſwer by their Letters to this effect: That it was not in the power of the King of *France* to acquit them of their Reſſort to his Court; for the Prelates and Barons of the Cities and good Towns of *Gaſcoigne* did not aſſent to it, nor ever would they, tho the Realm of *France* ſhould continue perpetually in War upon that account. Thus the reſt of this Year was ſpent in Meſſages and Diſputes between the Prince and the Lords and Barons of *Gaſcoigne*, the greateſt and moſt powerful of whom (being thoſe already mention'd) ſtill remain'd at the Court of the King of *France* to ſolicit

' Froiſ. c. 242.

The Gaſcoigners *make ſeveral Remonſtrances, and refuſe to come to any of the Prince's Parliaments.*

The Prince is much offended with them.

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licit their Cauſe, which they brought to effect the Year following.

[1] Id. c. 241.
K. Pedro *returning to his former Cruelties, provokes his Subjects again to call in* K. Henry.

Who marches into Caſtile, *where the Cities of* Burgos *and* Valladolid *open their Gates to him, and all* Galicia *revolts.*

But before I conclude this, I ſhall give you a ſhort account of what happen'd in the mean time in *Spain*, where after King *Pedro's* being ſettl'd on the [1] Throne by the Prince of *Wales*'s means, He began again to ſhew Himſelf more than ever a Tyrant, taking horrid Revenge upon all thoſe He had before pardon'd, and treating the reſt of his Subjects with utmoſt rigour and ſeverity, which made 'em ſo deſperate, that they reſolv'd to recal King *Henry* the Baſtard, who had been driven out of his Kingdom the laſt Year; who being a Prince as much belov'd for his good Qualities, as his Brother was hated for his bad ones and Cruelties, He was reſolved to lay hold on this opportunity of the Prince of *Wales* his being engag'd in domeſtick Jars and Differences with his Subjects, and to take his leave of the King of *Arragon*, that aſſiſted Him with ſome Forces, as did alſo the Duke of *Anjou* and Count *de Foix*. Thus making up an Army of about ſix thouſand Foot and three thouſand Horſe, beſides certain mercenary *Genoueſes*, with theſe ſmall Forces He marched to *Caſtile*, and coming before *Burgos*, the Citizens open'd their Gates to Him upon the firſt Summons, and again acknowledg'd Him for their King; from whence He went to *Valladolid*, where He was received in like manner: And here finding *James* King of *Majorca*, who had not yet recover'd his Health, He ſeized his Perſon, and took him Priſoner, for having taken part with his Enemy the Prince of *Wales*. Upon this King *Henry* marched to the City of *Leon*, which was likewiſe immediately ſurrender'd; and whilſt He was there, the whole Province of *Galicia* came over to Him; nor did He meet with any Oppoſition till He came to the City of *Toledo*, and that indeed ſtood out, and would not own Him for King; wherefore He laid cloſe Siege to it.

[2] Id. ib.
K. Pedro *ſummons his Subjects to his aſſiſtance, but they deſert him.*

He marches with an Army of 40000 *men to raiſe the Siege of* Toledo.

[3] O. Raynold. ad hunc An.
K. Henry *routs the Tyrant.*

King [2] *Pedro* was at this time at *Sevil* in the Borders of *Andaluſia*, where hearing of the Invaſion of his Baſtard-Brother, and the Revolt of ſo many Cities from Him, He was very much ſurprized at it; but when He had ſent out his Summons to his Subjects, and found that but few would come into his Aſſiſtance, almoſt all of them deſerting Him, He began to deſpair, till being encourag'd by his intimate and faithful Counſellor *Hernando del Caſtro*, He was by him adviſ'd to crave the aſſiſtance of his Couſin *Ferdinand* King of *Portugal*, as alſo of the *Mooriſh* Kings of *Granada* and *Tremeſin*, which they promiſed Him: So that being ſuccour'd by theſe Princes, He made up in all, of *Chriſtians*, *Moors* and *Jews*, an Army of about forty thouſand men, with which He marched towards the City of *Toledo*, that was then cloſely beſieg'd by King *Henry* the Baſtard; who, when He heard of his Brother's approach, by the Advice of *Bertrand de Gueſclin* (now come in to his aſſiſtance with two thouſand *French*-men) rais'd the Siege from before *Toledo*, and leaving a part of the Army to block it up, march'd away with the reſt to meet the Tyrant as ſoon as He could; and ſo He did within a few days after, near the Caſtle of *Montiel*, where ſurprizing *Don Pedro* before He was aware, [3] He routed the Rear of his Army; but drawing up the reſt in good order, there began a ſharp and bloody Battel, which was fought for a time with equal Succeſs, both the Brothers behaving themſelves with great Gallantry, till at laſt the *Caſtilians*, *French*-men and *Arragonians* being too hard for the *Jews*, *Moors* and *Portugueſes*, King *Pedro*'s Army was entirely routed, and He himſelf forc'd to take refuge in the Caſtle of *Montiel*, which tho very ſtrong of it ſelf, and well man'd, was not able to hold out for want of Water and other Proviſions. King [1] *Pedro* finding He could not ſubſiſt there any longer without ſurrendring, was reſolved to try to make his eſcape in the Night. But as He attempted to do it with a very few Perſons in his company, He was ſeized by the * *Beague* of *Vilain* a *French*-man, who then commanded the Guard before the Place, or (as [2] others relate) was betray'd by *Bertrand de Gueſclin* himſelf, to whom he offer'd twenty thouſand Crowns to let him eſcape. But this is certain, that whoever took Him, He was immediately ſecur'd in a Tent under a ſtrong Guard, where He had not been long, but King *Henry* and the Count of *Rochebreton* came in upon Him, and ſeveral opprobrious Words paſſing between them, the two Competitors preſently grapl'd together; and King *Pedro* flinging *Henry* down, had there ſtab'd Him with his Dagger to the Heart, had it not been for the Count of *Rochebreton*, who laying hold on *Pedro*, pull'd him off, and thereby gave *Henry* the advantage of being uppermoſt, who immediately drew out a Knife or Dagger, wherewith he ſtab'd the other in the Body, where He lay till he breathed his laſt. Thus fell this wicked and unhappy Prince by his Baſtard Brother, and Competitor, who now recover'd the Crown, which (notwithſtanding the foulneſs of the Action) remains to his Poſterity to this day: And it being ſomewhat extraordinary, I thought it would not be amiſs to give you a particular Hiſtory of ſo remarkable a Revolution: and tho the manner of this Prince's Death is differently related by our *Engliſh*, as well as *French* and *Spaniſh* Hiſtorians; yet I have ſet down this Account from an Author of Credit, as the moſt probable of any I have met with: and I have here put all things relating to this Tranſaction together, tho the laſt part of them properly belongs to the next Year, this [3] Battel being fought on the fourteenth of *March* 1368. and the Death of King *Pedro* happened about ten days after.

He endeavours his Eſcape, but being prevented, is carry'd to a Tent, where K. Henry *ſtab'd him with a* Dagger.

In the mean while the Diſpute between Prince *Edward* and the Barons of *Gaſcoigne* ran higher than ever; for [4] the Prince ſtill aſſerting his Right of impoſing the ſaid *Fouage* or Chimny-Mony, they ſtill inſiſted, that in ſuch extraordinary caſes their laſt Reſſort or Appeal was to the King's Chamber or Parliament at *Paris*. Wherefore they humbly deſired the King, that the Prince of *Wales* might forthwith be ſummon'd to make his Appearance there, to anſwer before the Peers of *France* concerning thoſe Grievances and Innovations, which he had began to exerciſe upon them. But tho the *French* King was willing enough to comply with theſe *Gaſcoigners*, who thus addreſs'd themſelves to Him as to their Sovereign Lord; ſince otherwiſe He muſt loſe all Juriſdiction and Sovereignty over them for ever, as alſo the opportunity of making War again upon the *Engliſh*; yet Matters not being then ripe for it, and his Brother the Duke of *Berry*, with others of the *French* Nobility being ſtill Hoſtages in *England*, it was thought fit at leaſt that the chiefeſt of them ſhould be got out of King *Edward*'s hands, before any open War ſhould be declar'd. To this end therefore, [5] *John* Duke of *Berry*, who had received a private Account of theſe Matters, had ſome time before obtain'd leave of

King

The Barons of Gaſcoigne *inſiſt on their Appeal, and deſire that* Pr. Edward *may be ſummon'd before the Peers of* France.

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[1] Froiſ. c.245.

* *The Name of an Officer or Magiſtrate.*

[2] Mariana, l.17. c.13.

[3] Id. ib.

[4] Froiſ. c.247.

[5] Id. c.244.

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King *Edward* to return into *France*, and there to recreate Himſelf among his Friends and Relations for the ſpace of one Year; but when He was got into his own Country, He order'd his matters ſo dextrouſly, and found out ſuch cunning and plauſible Excuſes for his not coming over again, that he ſpinned out the time till the War was declared; and then He thought Himſelf freed from all Obligations of returning: but *Guy* of *Luxemburgh*, Earl of St. *Paul*, made a ſhift to ſteal into *France*, without ever taking his Leave of King *Edward*.

[r] Id. ib.

The Earl of St. Paul *arriving in* France, *does all he can to make King* Charles *take the* Gaſcoign *Lords into his Protection.*

The Fr. King's Council alledg ſeveral Breaches on the ſide of the Engliſh.

[s] Du Cheſne p. 693. Froiſ. c. 246.

To which end they moſt inſiſt upon a Clauſe in the Charter of Renunciation.

This [r] Nobleman being an implacable Enemy to the *Engliſh* Nation, upon his return home, perſuaded King *Charles* all he could to take the *Gaſcoign* Lords into his Protection; for he believed that if once the Pr. of *Wales* ſhould be ſummon'd to the Parliament at *Paris*, a War would moſt certainly break out, which was like to turn to the Advantage of *France:* and to this agreed ſeveral of the Chief Prelates, Earls and Barons of *France*, who perſuaded their Maſter to inſiſt that the King of *England* had not truly kept the Peace, to which He had ſworn and ſeal'd, according to the Tenor of the Treaty made at *Bretigny*, and afterwards confirm'd at *Calais:* for the King's Council then urged, That the *Engliſh* had more diſturb'd the Realm of *France*, ſince the Peace was made, than they had done before, and that what they aver'd was true; farther they deſired, that the Charters of Peace ſeal'd by K. *Edward* and the Prince his Son, and which they were by Oath obliged to obſerve, ſhould be produced and read in the King's Preſence; who thereupon, to be inform'd of the truth of the matter, cauſed the ſaid Charters to be brought into the Council-Chamber, and heard them read over twice or thrice, that ſo He might the better conſider the Articles therein comprized. But that which He thought made moſt for his Advantage was, [s] the Great Charter of *Renunciation*, ſeal'd by King *Edward* at *Calais*, and called that of *Ceſtaſſavoir*, as has been already related; whereby it is expreſly provided, That if by Diſobedience, Rebellion, or Force of any of the Subjects of the *French* King, the ſaid King ſhould be hinder'd from performing all the ſaid Articles, yet neither ſhall the King of *England* nor his Heirs, for all that make any War upon the Realm of *France*; but both Kings ſhall joyn together to bring thoſe Rebels to Obedience, and to obſerve the ſaid Peace and Concord: So likewiſe that tho the Subjects of the King of *England* ſhould refuſe to yield up any Towns, Caſtles or Fortreſſes, which they held in the Realm of *France*, and which by reaſon of the Peace ought to be deliver'd up; or what any other cauſe ſhould hinder, that the King of *England* could not perform what He was bound to by reaſon of this Treaty; yet the King of *France* ſhall not make War therefore upon the Dominions of the King of *England*; but both the Kings were to joyn together to reduce thoſe Rebels to Obedience, and by force to recover ſuch Towns, Caſtles and Fortreſſes, and to deliver them to whom they ought to be deliver'd.

* Vid. the Articles of Renunciation already related.

And there is alſo another Article in the ſame Treaty, * where after a recital of the Oath that the King of *England* had made for Himſelf, his Heirs and Succeſſors, not to do, nor ſuffer to be done any thing againſt this *Renunciation*, or againſt any thing contain'd in the afore-ſaid Articles; it follows thus: “And if We do, or ſuffer to be “done the contrary any manner of way (which God forbid) then “We will that We be reputed for *Falſe* and *Forſworn*, and incur “ſuch Blame and Infamy, as a King Sacred ought to incur in ſuch a caſe. To the Obſervation of which Charter, not only the King, but all his Sons and the Major part of the Earls and Barons of *England* were ſolemnly Sworn.

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Now [1] that which the King and Council of *France* urged on behalf of themſelves and that Kingdom, againſt King *Edward* and the Prince his Son, was, “That They having ſince the making of the late Truce broken their ſaid Oath, by not yielding to the King of *France* their due Aſſiſtance in driving out the *Companions*, that ſtill held divers Towns, Caſtles and ſtrong Places in *France*, and from thence ſpoil'd and ravaged the adjacent Countries, but had alſo ſent a new Army of the ſaid disbanded *Companions* into the King's Dominions, who had done as much Miſchief as thoſe that were there before, and do ſtill keep ſeveral Towns and Caſtles, contrary to the ſaid Peace; and thereby have, and alſo do commit divers great Hoſtilities againſt the King and his Subjects: And tho King *Edward* might think Himſelf an Abſolute Sovereign in *Aquitain* by the Treaty of *Bretigny*, and ſo not lyable to anſwer for the Oppreſſions of his Subjects in thoſe Parts, yet ſince He had not truly obſerved the Articles on his ſide, therefore the whole Treaty was null and void; ſo that the ſaid King *Edward* and the Prince his Son, ſtill remain'd Vaſſals to the Crown of *France*, as they were before the ſaid Treaty. [2] They alſo further urged, That it was void for another more weighty Reaſon, *viz.* “The Agreement made between the two Kings at *Boulogne*, on the twenty ſixth of *October* 1360. by which it was accorded, That whereas for ſome Difficulties, which then happen'd, the *Renunciations* to be made at *Calais* could not be then perfected, both Kings ſhould by the Feaſt of St. *Andrew* the Year following ſend their Deputies to *Bruges*, to bring with them the ſaid Treaty of Peace and Renunciation, in new Letters Patents, ſealed with their Seals, and until that time they ſhould be of no effect: and that till then the King of *France* ſhould have and enjoy the ſaid Reſſorts and Sovereignties in the ſaid manner as before. So that theſe Inſtruments not being deliver'd at *Bruges* by the Day appointed, the *French* King's Sovereignty over *Aquitain*, &c. was again revived. But of this I ſhall ſpeak further, under the Year 1370; but ſhall now confine my ſelf to treat of the Year enſuing.

[1] Du Cheſne ibid. Chron. Franc. MS.

The Allegations of the King and Council of Fr. *whereby they would make void the Treaty of* Bretigny.

[2] Du Tillet Recueil de Traictez, &c. p. 73, 74.

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When King *Charles* had thus held the Barons of *Gaſcoigne* in ſuſpence for divers Months, [3] and found they were now fixt, and that rather than ſubmit to the Prince of *Wales*, they would abſolutely revolt, and become Subjects to the Crown of *France*, and joyn with Him in making War upon the *Engliſh*, He was then encouraged to declare Himſelf more openly; and to this end, with the Advice of the Earls of *Armagnac*, *Perigort* and *Cominges*, as alſo the Lord of *Albret*, and other Barons above-mention'd, He order'd a Letter of Summons to be drawn up, and ſent by two Perſons of no great Quality to the Prince of *Wales*, then at *Bourdeaux*, which they deliver'd into his own hands, which the Prince order'd to be read aloud; and was to this effect:

[3] Froiſ. c. 247.

The King of France *having fix'd the Barons of* Gaſcoigne *in their Reſolutions of revolting, ſummons the Prince to appear at* Paris.

“CHARLES, by the Grace of God, King of *France*, to Our Nephew the Prince of *Wales* and *Aquitain*, Greeting; Whereas divers Prelates, Barons, Knights, Univerſities, *&c.* of the Limits of the Country of *Gaſcoigne*, and inhabiting on the Borders of Our Realm, with ſeveral others of the Country and Dutchy of *Aquitain*, have withdrawn themſelves unto Us in Our Court, there to have Right of certain Grievances and Moleſtations, which You by weak Council and ill Information have purpos'd to do unto them; and at which We are ſurpriſed with wonder: to obviate therefore and remedy the ſaid Matters, We being ſo ſtrictly engaged unto them, do by Our Majeſty Royal and Sovereignty, Command You to come to Our City of *Paris* in Your Own Perſon, and there to ſhew and preſent Your Self before Us, in Our Chamber of Peers, to hear Right concerning the ſaid Complaints and Grievances, begun and acted by You upon Your People, who claim to have Reſſort to Our Court; and that herein there be no Failure, but that it be ſpeedily Performed, after Sight of Theſe Letters. In Witneſs whereof, We have ſet Our Seal to Theſe Preſents. Given at *Paris* the Twenty fifth Day of *January*.

[3] Id. c. 248.
Upon which the Prince is highly incenſed.

When the [3] Prince had heard theſe Letters read, He was highly incenſed; yet endeavouring to reſtrain his Paſſion, He return'd them this Short but Reſolute Anſwer: *Gentlemen, We ſhall be willing to wait on Our Uncle the King of* France *at* Paris, *ſince He hath thus Invited Us; but it ſhall be with Our Helmet on Our Head, and attended by Sixty thouſand Men.* At which the *French* Gentlemen in a great Fright, beg'd his Pardon, ſaying, they were commanded to do what they did by the King their Maſter. But the Prince being under ſome Diſturbance, withdrew into another Room, and left them at liberty to go when they pleas'd, as preſently they did; for they left the City, and went towards *Tholouſe*, where the Duke of *Anjou* then reſided. And the Prince being incenſed by the Lords of his Council at the ſawcineſs of this Action, that theſe Men having no Safe-Conduct, ſhould preſume to ſerve Him with ſuch a Summons, thereupon forthwith ſent certain Meſſengers after them, who ſeizing their Perſons upon the Road, carried them Priſoners to the City of *Agen*; which being told the Duke of *Anjou*, by ſome of their Servants that eſcaped, He was very well pleas'd at it, becauſe he knew it would prove a freſh cauſe of War and Rupture with *England*, which He very much deſired.

And orders the Meſſengers to be ſeiz'd.

[4] Id. ibid.
King of France *makes ſecret Preparations to prevent the Pr. from doing him any prejudice.*

And lulls King Edward *aſleep with frequent Ambaſſies,* &c.

[5] T. W. ad hunc An.

But tho King [4] *Charles* Himſelf did not receive the Anſwer that was ſent Him, by thoſe to whom it was deliver'd, yet He ſoon heard it by ſome that belonged to them; and therefore being much concerned at what had happen'd, He made the beſt Preparations He could to avoid the fatal effects that muſt be expected from that Summons. For altho He had made ſecret Leagues and Confederacies with the Emperor and other Princes, and privatly agreed with many of the Captains of the *Companions* to engage in his Intereſt, yet all this while [5] He carried things ſo cunningly, and ply'd King *Edward* with ſuch frequent Meſſages and Ambaſſies, as alſo Remonſtrances and Overtures, for the better obſerving of the Peace, that He thereby reckoned Himſelf ſo ſecure of the *French* King's Intentions, that when his Son

wrote

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wrote Him word of the evil Affections and Deſigns of the Barons of *Gaſcoigne*, and what they were doing at the Court of *France*; and therefore intreated Him that He would not too much rely upon the ſmooth Words and Profeſſions of the *French* Ambaſſadors; the King was ſo far from giving credit to what the Prince had written, that He looked upon it as the warm Apprehenſions of a Young Man, who was impatient of Peace. Thus did this Politick Prince lull this Credulous King aſleep, till he had ſecretly by his tampering with his Subjects, not only in *Gaſcoigne*, but in the Country of *Ponthieu*, made them ready for a Revolt; whilſt the other being too ſecure, uſed no means to prevent it by reinforcing his Gariſons in thoſe Parts, as He might eaſily have done, had He been ſooner aware of the *French* Deſigns: Which may ſerve as a laſting Warning to our *Engliſh* Kings, either wholly to come over to the *French* Intereſt, or if not, timely to provide againſt a Breach, which will never fail to happen on the firſt Occaſion or Advantage they can think themſelves Maſters of; and againſt which no Oaths or Promiſes, tho never ſo ſolemnly made, have ſignified any thing, according to the beſt of my Obſervation. But to proceed to our Hiſtory.

King of France *calls an Aſſembly of the Eſtates.*

When the Appeals of the Lords of *Gaſcoigne* (above-mention'd) had been for ſome time received by the King of *France*, in his Great Council or Parliament at *Paris*, He to engage all the Eſtates of the Kingdom in his Quarrel, [1] on the Twenty firſt of *May*, held a great Aſſembly of them at *Paris*, according to the accuſtomed manner; and the firſt thing He did, was to lay before them the Appeals of the *Gaſcoign* Barons, with the Cauſes why He had receiv'd them; and deſired their Advice what He had beſt to do thereupon. After ſome debate, they all anſwered with one Conſent, That his Majeſty had done well and reaſonably in receiving the ſaid Appeals, and that they ought not to have been refuſed; declaring further, That if the King of *England* began a War upon Him on that Account, it would be unjuſt and againſt all Equity.

King Edward*'s Letter is alſo read, with King* Charles*'s Reply.*

After this, the Letters or Memorial which K. *Edward* and his Council had lately deliver'd to K. *Charles's* Ambaſſadors at *London* were alſo read before them, conſiſting of ſeveral Remonſtrances and Complaints of the late Breach of the Treaties of *Bretigny* and *Calais*; which being ſet down under ſeveral Heads or Articles, the *French* King had politickly added his Anſwers to each of them. Theſe being very long, I omit, ſince they are now of little Uſe; but they chiefly contain that King's Juſtification for receiving the ſaid Appeals, and that for theſe Reaſons:

“ Firſt, Becauſe the Prince of *Wales* had infringed the Liberties and Privileges of thoſe Countries, Cities and Towns, that had lately made their Appeals to the King of *France*; and eſpecially of thoſe that had been delivered to King *Edward* by virtue of the Treaties above-mention'd; by which it is expreſly provided, and by Him agreed to, that they ſhould be duly kept and obſerved: and this He (the King of *France*) having ſtill retain'd the Sovereignty over all thoſe Places, was thereby impower'd to ſee perform'd; which Sovereignty, tho He had not thought fit to exerciſe, and put in practice till there ſhould be occaſion for it, yet had that wholly depended on his own Good will and Pleaſure, ſince He might have reaſſumed the Exerciſed of it whenever He pleaſed, and for this He appealed to the Charter

[1] Chron. Franc. MS. penes Cler. Urb. London.

“ of the intended Renunciations already mention'd, in which it is ex-“ preſsly provided, *That till the ſaid Renunciations were actually made in* “ *the Manner and Form thereby appointed, the Sovereignties and Reſſorts* “ *belonging to the ſaid Places were to remain in the ſame State as before,* “ *till ſuch time as the King of* France *had expreſly renounced all his* “ *Right and Title to them, which He had never yet done, nor was* “ *now at all obliged to do:* For that the King of *England* had never “ ſent thither any Perſons before whom the King of *France* might “ make and excuſe his ſaid Intended Renunciation; but this the ſaid “ King did not now require at his hands, becauſe the time within “ which it was to be made was long ſince elapſed.

“ But as for what the King of *England* had replied, That if the “ *French* King refuſed to make the Renunciations agreed on, but “ would ſtill receive the Appeals of the *Gaſcoign* Lords, He the “ ſaid King *Edward* was likewiſe free to reaſſume his Right to *France*, “ together with the Title of King thereof: To this it was anſwered, “ That there were not the ſame Reaſons for the one as for the other; “ ſince if King *Edward* ſtiled Himſelf King of *France*, it only con-“ cern'd his own Pleaſure and private Intereſt; but for the K. of *France* “ to receive the ſaid Appeals, He did not only regard his own private “ Advantage, but chiefly thoſe who had appeal'd againſt the Op-“ preſſions of the Prince of *Wales*, their immediate Lord, and for “ which the ſaid King was obliged to do them Juſtice, as being ſtill “ their Sovereign.

“ That as for the K. of *England*'s offering to repair the Attempts and “ Breaches he had made on the Liberties and Privileges of the Appel-“ lants, provided they would return to his Obedience; and as for his al-“ ledging his being ſtill ready to make the ſaid Renunciation on his “ part, whenever the *French* King would do the like on his: To this “ He anſwer'd, That this was no Juſt nor Reaſonable Propoſal, becauſe “ He had not done any thing in Breach of the ſaid Treaty by recei-“ ving thoſe Appeals, but had rather done his Duty towards thoſe “ who ſtill continued under his Sovereignty; nor were they any “ more obliged to return to the Obedience of the Prince of *Wales*, “ unleſs it could be prov'd, that they had appeal'd without any juſt “ Cauſe, in which Caſe the King of *France* would act according to “ Juſtice and Reaſon.

“ But as for his Receiving the King of *England*'s Renunciation, or “ making any ſuch Himſelf, the time being long ſince elapſed for the “ Performing of it, He did not look upon Himſelf now at all obliged “ either to accept it from that King, or make Him any ſuch Renun-“ ciation as He demanded.

This is the Sum of what was material in the *French* King's Anſwer to King *Edward*'s Demands, as to that King's Renouncing the Homage and Sovereignty over *Aquitain*. The reſt of his Anſwers concerning the Reſtitution of ſeveral Places ſtill detain'd and undelivered by King *Charles*, I omit, becauſe they contain only matter of Recrimination upon King *Edward*, for not reſtoring ſeveral Towns as He ought to have done by the ſaid Treaties; as alſo becauſe they ſhew more of Trick and *French Chicanry*, than Truth or ſolid Reaſon. But what Reply King *Edward* made to theſe Reaſons, I do not find; yet I think it plain enough to any unprejudiced Reader, That the King of *France*'s

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Arguments are indeed meer Cavils; for it appears evidently from the above-recited Inſtruments of the Intended Renunciations, that the King of *France* was not to have, or exerciſe any Sovereignty over *Gaſcoigne*, nor the Towns and Territories to be given up by Him, until the time of the ſaid Renunciation to be made at *Bruges*, as is already mention'd. And tho it may from thence ſeem to be intended, that in caſe thoſe Renunciations were not made and ſent to *Bruges* in the manner as was therein preſcribed, that then each King, as to the Sovereignty over each others Dominions, ſhould remain in the ſame State as before; yet ſince this Engagement was mutual, and that King *Edward* was no more obliged to make the Renunciation on his part, before the *French* King had done the like for Himſelf and his Heirs, they being to do it both together; the King of *France* could not in Juſtice take any Advantage of that Omiſſion, unleſs He could have proved at the ſame time that He had offer'd to make his ſaid Renunciation at the Place and within the Time required, which had been refuſed to be accepted of and performed on King *Edward*'s part.

But to return to the Hiſtory. All I ſhall farther relate concerning this Affair is, That the Eſtates of *France* did now ſo far approve of their King's Proceedings with his Adverſary of *England*, [1] that they promiſed Him their utmoſt Aſſiſtance, in caſe a War ſhould break out between the Two Nations, as it did indeed the Summer following. Whereſore in perſuance of their former Vote, the Eſtates at their next Meeting in *December*, upon the King's Declaring to them, That He could not carry on the War without an extraordinary Expence, did therefore grant Him an Exciſe of Twelve *Livres* upon each Meaſure of Salt, and Four *Francs* upon each Chimney in all Cities and Good Towns, and One *Franc* upon all ſmaller Villages; and beſides theſe, they likewiſe impoſed a Great Exciſe upon Wines, and all Cattle that were to be ſold in *Paris*, and other Cities and Great Towns. Thus reſolute was the *French* Nation to maintain what they thought to be for the Honour and Intereſt of their King and Country, and ſo far leave an Example worthy the Imitation of other Nations as well as their own. I have here added this laſt Tranſaction, tho done at the latter end of this Year, becauſe I would put all things relating to this Affair together. But I ſhall now proceed to what happened the Summer before, and how the War broke out again between the two Crowns.

The States of France *promiſe the King their utmoſt Aſſiſtance in caſe of a War with* **England.**

When all things were ripe for Action, and that the Chief of the *French* Hoſtages had one way or other got out of King *Edward*'s Power, the War ſo long deſign'd by the *French* King thus broke out: The rebellious Lords of *Gaſcoigne* being reſolved to revenge the late ſeizing of K. *Charles*'s Meſſengers, as done on their Account, and having Intelligence that Sir *Thomas Wake* [2] Seneſchal of *Rovergne* was on ſuch a day to go from thence to *Rodez* with Sixty Lances to reinforce that Gariſon, they laid an Ambuſh for him of Five hundred Men, led by the Earl of *Perigort*, who falling upon the *Engliſh* on the ſudden, killed moſt of them, and had done the like to Sir *Thomas* himſelf, or at leaſt had taken him Priſoner, had he not by the goodneſs of his Horſe made his Eſcape to *Montauban*. Upon which Prince *Edward* being highly incenſed, ſent immediately into *Normandy* to Sir *John Chandois* to come to his Aſſiſtance, which he preſently did, and waiting

How the Barons of Gaſcoigne *began the War there.*

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[1] Id. Ibid.

[2] Froiſ. c. 250.

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The Prince not being ſtrong enough, can only act defenſively.

on him at *Angoleſme*, he was immediately ſent with certain Troops of Men of Arms and Archers to reinforce the Gariſon of *Montauban*, and thence to make War upon the *Gaſcoigners* and *Frenchmen*, who daily encreaſed in their Numbers, and over-ran his Territories: but the Prince was not ſtrong enough to act otherwiſe than upon the Defenſive, tho the *Captal de Buche*, and many other great Lords and Officers came in to his Aſſiſtance; yet not having Money ſufficient to raiſe or pay an Army, he could at preſent do no great matter againſt the *French*, till he had receiv'd freſh Succours from *England*; to the Affairs of which it is now time to return.

The King of France *tampers with the Townſmen of* Abbeville.

He ſends King Edward *a Letter of Defiance by an ordinary Valet.*

The King receives News of the taking of Abbeville, *&c.*

Before King *Edward* could receive any account of what had been done in *Gaſcoigne*, the [4] King of *France* had underhand tamper'd with the Townſmen of of *Abbeville* in *Ponthieu* to try if they would revolt, and receive a *French* Gariſon: and finding them weary of the *Engliſh* Government, He reſolv'd to put his Deſign into ſpeedy Execution; and tho he had at this time his Ambaſſadors in *England*, who to blind the Buſineſs trifled away the time in making frivolous freſh Complaints, yet it was without any mention of a War. But all things being now ripe for Action, He thought it unbecoming a King to begin it, without any notice firſt given [5]; and therefore by the Advice of his Council He ſent King *Edward* Letters of Defiance, not by any Prelate, Lord, or Man of Quality, but by an ordinary Valet, or Serving-man, at which King *Edward* was much provoked, looking upon it as a great Affront to his Royal Dignity; when but juſt before this, the King upon receiving Intelligence that K. *Charles* had begun ſome Hoſtilities in *Ponthieu*, had diſmiſſed his Ambaſſadors, and at the ſame time refus'd a Preſent of Wines and other things which had been juſt before ſent Him by their deceitful Maſter. And indeed it was a great ſurprize to the King to find open War thus declared againſt Him on the ſudden, by a Prince who was never look'd upon as a Warrior, and would never have preſumed to have done it, had He not receiv'd very great Encouragements at Home as well as Abroad. But now King *Edward* thought it high time to ſecure his Frontiers in *Ponthieu*, where the Lords *Piercy*, *Nevil* and *Windſor* were order'd immediately to paſs over with ſufficient Forces for that purpoſe; but as they were juſt ready to depart [6], the News came, that the Earl of St. *Paul*, and Sir *Hugh de Chaſtillon* Maſters of the Croſs-bows of *France*, had by that King's Command, already ſeiz'd the Town of *Abbeville*, the Men opening their Gates to receive them; and that preſently after they had made themſelves Maſters of the whole County of *Ponthieu*, taking all the Officers both Civil and Military, together with the Soldiers, Priſoners. Thus did King *Edward* loſe on the ſudden all his Territories in *Picardy* (except *Calais*, and the Country about it) without ſtriking a ſtroke.

A Parliament ſummon'd.

So there was no way to recover theſe Loſſes but by the general Aſſiſtance of the Nation in Parliament, * which was now ſummon'd to meet on the Octaves of the *Holy Trinity*, or the next Sunday after that Feaſt, being the 27th of *May*; † when the King, Prelates, Dukes, Earls, Barons, Knights, Citizens and Burgeſſes being aſſembled in the Painted-Chamber, *William* of *Wickham*, then Biſhop of *Wincheſter*, and Chancellor, ſhew'd them the Cauſe of Summons, telling them, that the King in all his great buſineſſes touching Himſelf and the

King-

[4] Id. ib.

[5] Du Cheſne, Mezeray.

[6] Froiſ. c. 246.

* Rot. Clauſ. 43 Ed. 3. m. 24. dorſ.

† Rot. Parl. 43 Ed. 3. n. 1.

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Kingdom, had in all times acted and proceeded by the Counſel and Advice of the Great Men and Commons of the Realm, whom He ſtill found in all his arduous Affairs truly Loyal, for which He thanked them; and not being willing any thing ſhould be unknown to them, he further told them, that with their Advice and Counſel He had formerly made Peace with his Adverſary of *France* upon certain Conditions, that he ſhould cauſe to be deliver'd unto him certain Lands and Countries beyond Sea, and alſo pay him certain Sums of Mony at ſtated times appointed by the Articles of the Peace; and further, that He ſhould lay aſide the Sovereignty and Reſſort in all the Lands and Countries of *Gaſcoigne*, and other Territories which the King held beyond Sea; and that He was in conſideration thereof to part with the Name and Title of the King of *France* for ever. But that his ſaid Adverſary had wholly fail'd to make Delivery of the Lands and Countries ſo agreed to be deliver'd by the Peace, as alſo in his Payments; yet that nevertheleſs he had receiv'd the Appeals of the Earl of *Armagnac*, the Lord *de la Bret*, and others, who were the King's Lieges in *Gaſcoigne*, and by virtue of their Appeals had cauſed to be ſummoned his Son the Prince of *Wales* to appear before Him at *Paris* the firſt day of *May* laſt, to anſwer their Appeal, which was againſt the Form of the Peace; and * farther, that he had ſent a great number of Men at Arms and others into the Countries of *Gaſcoigne*, and there by Force had taken Towns, Caſtles, and other Places; kill'd ſome of the King's Liege-People, taken others, and impriſon'd them, in expectation of great Ranſoms; the like alſo he had done in *Ponthieu*: and becauſe of theſe things done in the Principality of *Aquitain* againſt the Form of the Peace, † the Prince had ſent Meſſengers on purpoſe to inform the King, that he had called to him the wiſeſt Men of the ſaid Principality, and treated with and propounded to them, whether by reaſon of theſe things his Father might not by Right retake upon Him, and uſe the Name of King of *France*; who anſwer'd and affirm'd, the King might do it by Right and good Faith. Upon which Point the Archbiſhop of *Canterbury*, and the other Prelates were charged by the King to treat and ſhew their beſt Advice and Counſel.

The Biſhop of Wincheſter *ſets forth the Breach of the Peace by the* French.

* Ib. n. 2.

† Ib. n. 3.

|| On Wedneſday following the Archbiſhop and Prelates after mature Deliberation had upon the Charge, with one accord anſwer'd, that the King for the Cauſes aboveſaid might juſtly reaſſume and uſe the Name of King of *France* by Right and good Conſcience: to which agreed the Dukes, Earls, Barons, and other Great Men, and Commons in full Parliament.

|| Ib. n. 8. *The Biſhops and Lords agree, that on failure of Performance on the* French *King's part,* K. Edward *might reſume the Arms and Title of* France.

* On the ſame day, and the Thurſday following, the State of the Kingdom was laid before the Great Men and Commons; and becauſe the War was now open'd, and the King would be at great Charges as well by Sea and Land, which He could not maintain without their Aid, He requeſted them that they would treat and adviſe how He might be beſt aſſiſted to his greateſt Profit, and the leaſt Charge and Damage to his People. Then the Prelates, Dukes, Earls and Barons by themſelves, and the Commons of one accord, granted to the King a Subſidy of *Wools*, of every Sack three and forty Shillings and four Pence, and of every twelve ſcore of *Woolfels* as much, and of every Laſt of Leather four Pounds, which ſhould paſs beyond Sea for

* Ib. n. 9, 10. *The State of the Kingdom laid before the Parliament.*

Who grant a great Aid upon Wool, Woolfels and Leather.

three

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three Years, beſides the antient Cuſtoms, to begin at *Michaelmas* next coming; and of Denizons or Strangers for every Sack of Wool four Marcs, of every twelve ſcore of *Woolfels* as much, and of every Laſt of Leather the ſame rate.

* Ib. n. 25.

The King promiſes his Subjects all they could conquer from France.

And * the King not only provided Himſelf with Mony this Parliament, but alſo, to encourage his Subjects the more readily to aſſiſt Him, openly declar'd a Compenſation to ſuch Lords or others, of whatſoever Eſtate, Degree, Condition, or Nation they were, who would maintain his Cauſe and Quarrel againſt his Enemies of *France*, that they ſhould hold and enjoy for ever what they ſhould there recover and conquer, be they Dutchies, Earldoms, Vicounties, Cities, Towns, Caſtles or Lordſhips, ſituate in *France*, to hold them of Him as King of *France*, by the Services and Dues accuſtomed; but then reſerved expreſly to Himſelf and his Heirs all Demeaſns, Royalties, Services, Homages, Dues, Reſſorts and Sovereignties belonging to the Crown of *France*; except all Church-Lands, and the Lands of all ſuch, as without Force or Difficulty would obey, adhere to, and remain in Obedience to Him of their own good-will, and aſſiſt Him in his Quarrel, *&c.* againſt the ſaid Adverſary.

* Rot. Parl. ib. n. 8.

The King reaſſumes the Title and Arms of France.

Then before this * Parliament was diſſolv'd, the King again claimed the Title, and reaſſum'd the Arms of *France*; and on the 11*th* day of *June*, his preſent Great Seal being laid aſide, and the former Seal engraven with the Stile and Arms of *England* and *France*, was again taken out and uſed, and ſeveral Patents and Writs therewith ſealed: and the ſame day all the King's other Seals were alſo changed, one of them being circumſcribed with the word *Franciæ* in the firſt place, and others with *Angliæ*, as at the firſt taking that Title; from which time even to this day the Kings of *England* have continued to quarter their Arms with thoſe of *France*, in token of that antient Right, to which King *Edward* now renew'd his former Claim.

[7] Froiſ. c. 253.

He ſends Forces to ſecure the Frontiers of Scotland.

* Rot. Pat. 43 Ed. 3. p. 1. m. 27. *Ld* Windſor *appointed Lieutenant of* Ireland.

† Ib. n. 32.

[8] Froiſ. ib.

The Dukes *of* Berry *and* Anjou *invade* Aquitain.

Then [7] the King, to prevent any Miſchief that might be done by the *Scots* (whom He heard were engaged in a new League with the King of *France*) ſent a conſiderable number of Archers and Men of Arms to ſecure the Frontiers of that Kingdom; beſides which He ſent a good Fleet to cruiſe about the Channel, for He heard the *French* King was ſetting forth a great Navy to Sea, which was to come and invade *England*, or (as others ſay more probably) *Ireland*; wherefore * He was obliged to ſend thither no ſmall Forces under the Command of the Lord *William Windſon*, who was alſo appointed Lieutenant of that Kingdom; he immediately repair'd to it, being * accompanied by the Lord *Faulkenbergh*, and other Perſons of Quality and Experience. Thus did the King, not knowing where the Storm would fall, take all poſſible care to ſecure his Dominions againſt the ſudden Attempts of his newly declar'd Enemy. In the mean while the War between the two Crowns was open'd in *France*; for not [8] long after the ſaid Defiance was ſent to K. *Edward*, the Dukes of *Anjou* and *Berry*, Brothers to the *French* King, immediately invaded the Dutchy of *Aquitain*; and the latter of theſe having ready at his Command all the Barons of *Auvergne*, of the Biſhopricks of *Lyon* and *Maſcon*, together with the Lord of *Beaujeu*, and divers other Noblemen, theſe coming with a notable number of the *Companions*, who were now brought over to the *French* Intereſt, made up a very conſiderable

Army, and invaded the County of *Poictou*, while the Duke of *Anjou*, who likewiſe had gain'd over to his Party certain *Gaſcoigne* Captains of the *Companions*, as St. *Perdicas*, *D' Albret*, and ſeveral others, all bringing in their Troops to the *French* Service, ravag'd *Gaſcoigne* on that ſide towards *Tholouſe*. But many of theſe *Companions* with their Captains, eſpecially thoſe who lay about the City of *Mans*, and in the *Lower Normandy*, continued ſtill firm to the *Engliſh* Intereſt, and with their Forces took the City of *Vire*, and deſtroy'd the Country round about.

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But theſe Numbers were too weak to do any thing conſiderable; wherefore King **Edward* in the beginning of the Spring ſent over five hundred Lances, and a thouſand Archers, under the Command of *Edmund* Earl of *Camebridg* (afterwards Duke of *York*) the King's fourth Son, and *John Haſtings* Earl of *Pembroke* his Son-in-law, who landing with their Forces at St. *Malo's*, were kindly received by the young Duke of *Bretagne* their Brother-in-law. Theſe marching thro the Dutchy of *Aquitain*, arriv'd at *Angoleſme*, where the Prince then was; but he being much indiſpoſed, was not able to accompany them; wherefore after ſome days reſt theſe Lords being join'd with certain Troops of the *Companions*, that Sir *Hugh Calverly* had lately brought out of *Spain*, made up in all a ſmall Army of above three thouſand Men, and marching into the County of *Perigort*, waſted it with Fire and Sword, and laid Siege to the ſtrong Caſtle of *Bourdeilles*, which was at laſt ſurrender'd, tho after a long Siege, as you will find hereafter.

* Id. c. 254.

Earl of Cambridg *ſent to aſſiſt the Prince his Brother with a conſiderable Force.*

With which they march into Perigort, *and beſiege* Bourdeilles.

But on the [s] other ſide, the *French* Forces, who were much more ſuperior in number than the *Engliſh* about the Borders of *Poictou*, ſurprized certain of theſe latter Troops by an Ambuſh: and tho they made a brave and noble Defence, yet they were either kill'd, or put to flight, and moſt of their Captains taken Priſoners; the chief of whom was Sir *Simon Burley*, who had been bred up with Prince *Edward* from his Childhood. The News of his being taken with the loſs of ſo many brave Men, was a great trouble to Him.

[s] Id. c. 255.

The French *being ſuperior in* Poictou, *ſurprize certain Troops of the* Engliſh.

In the mean while [t] the Lord *Chandois*, and Sir *Guiſchard D'angle* were in and about *Montauban* with their Troops; but tho they had been hitherto diſappointed in ſeveral of their Undertakings, yet they now march'd with their Forces, and laid Siege to the Town of *Terrieres* in *Tholouſaine*, which being taken by a Mine, the Place was plunder'd, and the Inhabitants put to the Sword. But the Duke of *Anjou*, vvho vvas then at *Tholouſe*, ſent the Earls of *Perigort* and *Cominges*, and divers other Commanders, with their Troops to the number of about ten thouſand, vvith vvhich they marched into *Quercy*, vvhere they began to do a great deal of miſchief by burning and ravaging the Country, and ſo came before * *Roanville*, a Town in thoſe parts: But the Seneſchal of that Province had ſo well furniſh'd the Place vvith all things neceſſary, that it vvas not to be taken vvithout a formal Siege of ſeveral Months, and that not by ſtorming, but by ſpringing a Mine, and then all the *Engliſh* therein vvere put to the Sword; but the Townſmen upon their ſwearing Allegiance to King *Charles* vvere receiv'd to Mercy.

[t] Id. c. 256.

The Ld Chandois *lays ſiege to* Terrieres, *and takes it by Aſſault.*

* Froiſ. *calls it* Riaumulle, *but his Abridgers (more rightly) as it is here.*

The French *take the Town of* Roanville *by ſpringing a Mine.*

Whilſt [a] theſe *French* Commanders vvere thus employ'd in *Quercy*, the Duke of *Berry* was in *Auvergne* with a great number of Men at Arms,

[a] Id. c. 257.

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The Archbiſhop of Tholouſe *is prevail'd on to preach up the* French *Cauſe, and thereby the City of* Cahors, *&c. revolt from the* Engliſh.

Arms, the chief Leader whereof was the Lord of *Armagnac*, and ſeveral other Barons of thoſe Parts, who ravag'd the Borders of *Rovergne*, *Quercy* and *Limoſin*; when beſides open Force, the Duke of *Anjou* made uſe of Religion as a pretence (as it hath often been a handle to juſtify very unrighteous Wars) for the Archbiſhop of *Tholouſe*, a Politick Prelate, was prevail'd upon to go to the City of *Cahors*, of which Place his Brother was then Biſhop; and there thoſe two Brothers ſo powerfully preach'd up the Right of King *Charles* againſt King *Edward*'s Pretenſions, that the whole City revolted, and ſwore Allegiance to the *French* King.

With theſe Arts the Archbiſhop rode about through the County, ſetting forth the Juſtice of his Maſter's Quarrel with ſuch Popular Arguments, and inforc'd with ſuch ſeeming Proofs out of Scripture, that together with the Terror of the Duke of *Anjou*'s Arms, who hover'd thereabouts, he brought over no leſs than fifty Cities and Towns to the *French* Obedience. And becauſe this Archbiſhop was found to ſucceed ſo well in *Gaſcoigne*, therefore in *Picardy* did divers Prelates and Clergymen take upon them to diſcuſs the Rights of theſe two Kings in their Pulpit, and you may be ſure always determin'd it on the behalf of their own Prince, whilſt the unthinking *Vulgar* ſwallow'd vvhatever they thus pretended to be Divinity as well as Juſtice: vvhilſt thoſe that vvere the ſetters on of theſe Preachers obtain'd two ſeveral Ends by it; the one to reduce thoſe Places back again to the Crown of *France*, that had been before given up by the Treaty of *Bretigny*; and the other to render the People more eaſy and willing to ſupport the Charge of the War.

[3] Id. ib. Mezeray. *K.* Charles *ſhews great Devotion by ſolemn Proceſſions and Prayers.*

Nor [3] vvas King *Charles* Himſelf wanting to perform his part; for either He really or ſeemingly expreſſed great Signs of Devotion, cauſing Faſtings and ſolemn Proceſſions to be uſed by the Clergy and Layety, at vvhich both Himſelf and his Queen often aſſiſted, vvalking vvith them bare-foot to the principal Churches, vvhere conſtant Prayers vvere put up to God to protect and aſſiſt the Kingdom of *France*, vvhich had been ſo long in great Tribulation.

[4] Id. 16. *Whereupon K.* Edward *does the like.* * Godwin de Præſul. Lond. Simon *Bp of* London *preaches to ſet forth the Injuſtice of the* French *King.*

[5] Id. ib. *K.* Edward *renews his Alliances with the Princes of the* Low-Countries.

King [4] *Edward* was alſo oblig'd as vvell through Piety as Policy to uſe the ſame Methods in his Kingdom, thereby to render his Subjects more vvilling to venture their Lives in his Cauſe, when they were made ſenſible of the Juſtice of it; and ***Simon Sudbury*** * Biſhop of *London*, a Man vvell read in the Canon Laws and holy Scriptures, and of great Eloquence, preach'd many Sermons, declaring and proving unto the People, that the *French* King had renew'd the War, not only againſt his Oath, but alſo againſt all Right and Reaſon, by manifeſt Injuſtice, Fraud and Perjury: All which, together vvith King *Edward*'s Title to *France*, he ſet forth with great ſtrength of Argument and Rhetorick, to the ample Satiſfaction of his Auditors. Nor was King [5] *Edward* wanting to his own Intereſt in renewing his Alliances Abroad vvith the Dukes of *Haynault*, *Guelders* and *Juliers*; but tho the two laſt being King *Edward*'s near Relations engag'd to aſſiſt Him, yet *Albert* Duke of *Bavaria*, then Governor of *Haynault* (inſtead of his Brother Duke *William*, who at that time labour'd under an incurable Diſtraction) and the Duke of *Brabant*, who had not long before contracted a League with the King of *France*, reſolv'd to ſtand Neuter; and as for the Earl of *Flanders*, he having newly

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newly married his only Daughter to *Philip* Duke of *Burgundy*, the *French* King's Brother, had abſolutely declar'd himſelf for their Intereſt. Thus vvas *England*, as to Foreign Aſſiſtance, in a worſe Condition than ever, being left in a manner deſtitute of any conſiderable Alliances from Abroad, the Princes that took his part being but few, and thoſe inconſiderable.

Nor vvas this War carried on only by Temporal and Spiritual Weapons, but alſo by Paper Combats; for King *Charles* to render his Cauſe more plauſible to the Eye of the World, now cauſ'd to be publiſh'd certain Letters or Extracts relating to the Peace made at *Bretigny*, and ratified at *Calais*, wherein he ſets forth the ſubſtance of what according to his Obligation he had perform'd, and vvhat the King of *England* had not done, tho by Oath and Honour bound thereunto, producing ſuch Articles and Points as made for himſelf; but cuningly concealing or putting falſe Gloſſes upon vvhatſoever made againſt him. And he now alſo cauſed certain Doctors learned in the Laws to be vvell fee'd for ſetting forth their Opinions at large concerning the Right of the *French* King againſt the King of *England*, both as to the Crown, and alſo to the Superiority and Reſſort of *Aquitain*; and there are yet extant two Diſcourſes, vvritten by two famous Civilians of thoſe days, belonging to the Univerſity of *Bononia* in *Italy*, whoſe Names were *John de Lyana*, and *Richard de Salicette*: But many ſuch like Papers, together with his own Charters, did the *French* King publiſh and diſperſe in the Courts of Foreign Princes, the more to incline them to abet his Quarrel; inſomuch that King *Edward*, not to be behind hand with him, was oblig'd to make uſe of the ſame methods, and to employ ſome Learned Pens to juſtify and defend his Claim to the Crown of *France*, and to prove the Breach of the Truce wholly to lie on the *French* King's ſide, which was alſo cauſed to be thrown abroad in thoſe Places where he valued his Reputation moſt, or hoped at leaſt thereby to promote his Intereſt. Divers antient * Copies of this kind are to be ſeen in Latin in a Manuſcript of the moſt Learned Dr. *Stillingfleet* late Biſhop of *Worceſter*; and there is in *Engliſh* another Manuſcript of the ſame kind, formerly belonging to the Reverend Dr. *Spencer* late Dean of *Ely*, and Maſter of *Chriſt College* in *Cambridg*: which *Engliſh* Copy ſeems to have been tranſlated with much care from the other by ſome Perſon of Quality, for the uſe of that moſt hopeful Prince *Henry*, Son to King *James* the Firſt. But it is time to return again to the Arguments of the Sword.

K. Charles *orders divers Diſcourſes to be publiſh'd in Juſtification of his Cauſe.*

* *The curious Reader may find the ſubſtance of theſe Papers abridg'd in Mr.* Barnes's *Hiſtory*, p. 747, 748.

The only [1] amends that King *Edward* had for the falling off of ſo many antient Allies, was, that *Charles*, King of *Navarre*, being now returned into *France*, and remaining unſatisfy'd in his Demands upon the *French* King, wanted only an other Opportunity to renew the War againſt Him; and He himſelf reſiding at *Cherburg* in the *Lower Normandy*, began to fortify his Towns and Caſtles in *Contuntine*, and the Earldom of *Eureux* and other Parts of *Normandy*, which came unto Him by his Mother the Counteſs of *Eureux*: and He was not long after prevail'd upon by Sir *Euſtace d'Ambreticourt*, an antient Servant of King *Edward*, but then Governor of *Charenton*, and one of that King's Principal Counſellors, that He took ſhipping in a Man of War belonging to *England*, and ſo paſs'd over hither; and being

King of Navarre *again fortifys his Towns and Caſtles in* Normandy, *and admits* Engliſh *Forces into them.*

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[1] Froiſ. c. 258.

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kindly receiv'd by King *Edward*, it was agreed between them, that He ſhould admit *Engliſh* Troops into his Gariſons, and then ſend to defy the *French* King; and ſo He return'd into *Normandy* with a very good Force of *Engliſh* Archers and Men at Arms, which were diſpos'd of in moſt of his Gariſons, according to the ſaid Agreement. But Sir *Euſtace d' Ambreticourt* being ſent for by the Prince of *Wales*, went into *Aquitain*, and as ſoon as he arrived was ſent away to reinforce the Lord *Chandois* and the Captal *de Buche*, who lay then at *Montauban*, keeping the Frontiers againſt the *French*, of whom we ſhall ſpeak more hereafter.

All the reſt of this Year was ſpent in taking of Towns and Caſtles on either ſide, or elſe in ſlight Skirmiſhes, but without coming to any ſet Battel; but whether it proceeded from the great Caution of the *French* Commanders, or the want of ſufficient Forces on the *Engliſh* Side, you will find hereafter. But theſe Actions being of no great importance, and ſet down by my Author very confuſedly, without any due Order of Time, I ſhall give you as brief an account of them as is poſſible. [1] The *French* Forces in *Picardy*, making up a Body of about two thouſand men, under the Command of the Conſtable of *Fiennes*, marched and beſieged the ſtrong Caſtle of *Ardres* not far from *Calais*; but by the Valour of the Gariſon they received a ſhameful Repulſe, and were forced to march off. [2] In the mean time Sir *John de Bueil*, with ſome other Captains of the Companions for the *French*, and a Party of about twelve hundred men, ſurprized the ſtrong Caſtle and Fortreſs of *la Roche de Pozay*, on the River *Creuſe*, which put all that Country into a great conſternation; whereupon Prince *Edward*, who was ſtill ſick, and unable to do any thing in Perſon, ſent for Sir *Guiſcard d' Angle*, and other Gentlemen with their Forces from *Montauban*, and order'd them to *Poictiers* to defend that City, which now lay open.

The French *in* Picardy *beſiege the Caſtle of* Ardres, *but are repuls'd.*

The Caſtle of la Roche de Pozay *is ſurpriz'd by the* French.

About this time, [3] the Lord of *Chauvigny* (who was alſo Viſcount of *Breuſe*) abandon'd the *Engliſh* Intereſt, and fell off to the *French*; and ſo having furniſh'd his Town of *Breuſe* in *Maine* near *Lavardin* with *Bretons* and other Soldiers, he went himſelf to *Paris* to the *French* King. As for his Town of *Chauvigny*, that was ſtill in the hands of the *Engliſh*. To revenge which Treaſon, the Lord *Audley*, a Man of great Courage and Conduct (who had ſo ſignaliz'd himſelf at the Battel of *Poictiers*) being now Seneſchal of *Poictou*, by the Prince's Command raiſed a ſmall Army of twelve hundred Men at Arms, beſides Archers and other Footmen. With theſe Forces he marched from *Poictiers* into *Berry*, pillaging and ſpoiling the Country wherever they came; as they did alſo in *Touraine*, the People flying before them into ſtrong Towns and Fortreſſes: but when they came into the Lord of *Chauvigny*'s Country, there they put all to Fire and Sword, finding nothing to reſiſt them, except ſome Fortreſſes. At laſt they came before the Town of *Breuſe* in *Maine*, on which they gave ſuch briſk Aſſaults, that they ſoon took it by Storm, and having plunder'd and burnt it, put all the Gariſon to the Sword, and ſo the *Engliſh* return'd again into *Poictiers*.

The Lord of Chauvigny *falls off to the* French *Intereſt.*

The Ld Audley *marches into* Berry, *and ſpoils the Country.*

About the ſame time, [4] Sir *Robert Knolles* being then in *Bretagne*, tho he was by the Duke's Favour ſettl'd in a very good Eſtate, yet preferring his Honour before his Eaſe, when he heard of the War

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[1] Froiſ. c. 259.

[2] Id. c. 260.

[3] Id. ib.

[4] Id. c. 261.

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Sir R. Knolles *leaves* Bretagne, *and goes to aſſiſt Pr.* Edward.

the *French* had begun upon the Prince of *Wales*, ſet out four Veſſels in the Mouth of the River *Vilaine*, and leaving his Caſtle of *Derval*, with ſixty Men of Arms, and as many Archers, went on board and landed at *Rochel*, from whence he went to *Angoleſme*, where he was ſo welcome to the Prince, that as an acknowledgment of his great Valour and Conduct, He made him Commander in chief of all his Forces in thoſe Parts: But Sir *Robert* being a man of but mean Birth, this Honour created ſuch an envy againſt him among the reſt of the *Engliſh* Commanders, many of whom were of greater Birth and Quality, that it afterwards proved very prejudicial to the Prince's Affairs.

[1] Id. ib. *He marches into the* French *Country, and beſieges and takes divers Towns.*

However, [1] Sir *Robert* being now in Supreme Command, began his March againſt the Enemy, attended by the Lord *Haſtings*, Sir *Neal Loring*, and divers other Lords and Perſons of Quality, who with their Soldiers made up a ſmall flying Party of above a thouſand men. With theſe marching into the *French* Territories, he beſieged a ſtrong wall'd Priory call'd *Durmel* near the City of *Cahors*, which being very well fortified by the *Companions* that were of the *French* ſide, was by them ſo well defended, that after five weeks Siege, they were forced to riſe from before it, and march away and ſit down before the Town of *Domme* on the River *Dordonne*, where likewiſe meeting with no better Succeſs, they marched off, and went to a Caſtle called *Foines*, which the *French Companions* had newly taken; but not being ſtrong enough to hold it, they preſently ſurrender'd, and ſwore Fidelity to the Prince, tho they did not long obſerve it. From thence the *Engliſh* Army went to *Rochemador*, a Town of *Quercy*, on the ſame River, which being briskly aſſaulted, ſurrender'd upon Conditions. After which they marched towards *Ville Frenche* in *Perigort*, waſting and ravaging the Country all along as they went, and taking in divers Towns and Caſtles, till they came to the Place abovemention'd, which after four days Aſſault was ſurrender'd upon good Conditions, the loſs of which was much reſented by the Duke of *Anjou*, who vowed to revenge it.

[2] Id. c. 264. *The Siege of* Bourdeilles *carry'd on by the Earls of* Cambridg *and* Pembroke, *which at laſt they take by Stratagem.*

Whilſt the *Engliſh* Army was thus ſucceſsful in the Borders of *Auvergne*, *Agenois* and *Rovergue*, [2] the Siege was ſtill carried on before *Bourdeilles* by the Earls of *Cambridg* and *Pembroke* for the ſpace of eleven Weeks, and that with various Succeſs; for the Place being very ſtrong, and the Gariſon making a vigorous Defence, the Beſiegers at laſt deſpairing to take it, were about to raiſe the Siege; and had done it, had it not been reſolved in a Council of War to try the Succeſs of a Stratagem (which we find to have been us'd more than once) and it was this: The Army keeping cloſe in the Camp, they ſhould ſend out a Detachment of ſome two hundred choſen men to skirmiſh with the Beſieged at the Barriers; they being encourag'd by their former Succeſs, readily accepted of it, and ſallying out, there began a hot diſpute, in which the *Engliſh* feigning themſelves to be worſted, fled with ſome Confuſion; and to cover the Deſign the better, ſome of them ſuffer'd themſelves to be taken Priſoners: at which the *French* thinking the Day their own, perſued the reſt with that eagerneſs, that they fell into an Ambuſh of above five hundred men led by Sir *John Montague*, Nephew to the Earl of *Salisbury*; and tho the *French* made a long and vigorous Defence, yet they were all at laſt either

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kill'd or taken Priſoners. In the mean while the *Engliſh* General, with the reſt of their Forces, advancing to the Barriers, and finding them undefended, and the Gates open, eaſily took the Town, which but for the raſhneſs of the Beſieged, could not have been taken, unleſs by Famine. After this the two Earls with their Armies return'd to the Prince at *Angoleſme*.

[1] Id. c. 265. *Sir* J. Chandois *and Sir* R. Knolles *return to the Prince.*

During this Action, [1] Sir *John Chandois* and Sir *Robert Knolles* were ſtill perſuing their Succeſs in *Quercy*, when the former of theſe, together with the Captal *de Buche*, was ſent for by the Prince to receive his Commands; but Sir *Robert Knolles* was order'd to remain behind with the *Companions* to proſecute the War. However, Sir *Robert* not being willing to ſtay without them, went along with them with the greateſt part of the Forces, leaving the reſt under the Command of Sir *Perdiccas d' Albret*, who was to remain in the Town of *Rochemador* to defend thoſe Parts. Preſently after which ſome of the Captains of theſe *Companions* joined [2] their Forces with Sir *John Devereux* Seneſchal of *Limoſin*, where contriving how they might beſt offend and prejudice their Enemies, they at laſt reſolved to ſurprize the Caſtle of *Belleperche* in *Bourbonnois*, wherein was the Lady *Iſabella*, Mother to the Duke of *Bourbon*, and the *French* Queen; which Deſign taking, ſhe was there detain'd a Priſoner, to the great affliction of the King and the Queen her Daughter.

[2] Id. c. 266. *The Captains of the* Companions *ſurprize the Caſtle of* Belleperche.

[3] Id. c. 268.

The Earls of Cambridg *and* Pembroke *beſiege the Caſtle of* Roche ſur Yon, *which is ſurrender'd.*

In the mean while Sir *John Chandois* [3] and Sir *Robert Knolles*, with the reſt of the Commanders, having waited on Prince *Edward* for freſh Orders, He told them his Reſolution was, that they ſhould all join their Forces together, and go and beſiege the ſtrong Town and Caſtle of *la Roche ſur Ton* in the *Lower Poictou*, which belonged to the Duke of *Anjou*; upon which the Earls of *Cambridg* and *Pembroke*, with Sir *John Chandois*, muſtering up in all an Army of above three thouſand men, preſently went and laid Siege to the Caſtle abovemention'd, the Governor whereof was one Sir *John Blondeau*, who finding he was not like to be ſpeedily reliev'd by his Maſter, after ſome time enter'd into a Parly with the Beſiegers, and at length he came to this Agreement with them, That if the Caſtle were not reliev'd within the ſpace of a Month, he was willing to ſurrender it upon their paying him the Sum of ſix thouſand *Franks* for the Victuals and Ammunition that were therein; whereupon He ſent his Lord the Duke notice of what he had done, and to deſire his ſpeedy Aſſiſtance, who not being able to relieve the Place within the time prefixed, the Governor ſurrender'd it to the *Engliſh*, and had his Mony duly paid him, and ſo he marched out with his men to *Angeers*: but when he came thither, he was arreſted by the Governor for what he had done; which the Duke of *Anjou* hearing of, commanded him to be ſow'd up in a Sack, and thrown into the River, becauſe he took Mony for a Place, which if it had been defended as it ought to have been, might have held out a whole Year. Then the *Engliſh* Lords having put a ſtrong Gariſon into the Caſtle, went back to the Prince to *Angoleſme*, and taking their leaves of Him, return'd to their own Houſes for ſome time.

For which the Governor is order'd to be flung into the River.

[4] Id. c. 267.

But we ſhall now ſee what has been the reaſon that King *Charles* hath all this while ſent no greater Forces to the aſſiſtance of his Brothers the Dukes of *Anjou* and *Berry*; [4] for indeed He was engag'd in

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K. Charles *makes great Preparations to invade* England.

a higher Deſign, having ſpent the moſt part of this Summer in ſetting forth a Fleet to invade *England* with a mighty Army, and thereby to make a War by way of Diverſion; on which He was ſo intent, that He lay continually at *Rouen*, that ſo He might be near at hand to inſpect and haſten the Work, going thrice a week to view his Navy, that then lay below in the River *Seine*, giving out that theſe Preparations were making againſt *Portugal.* Nor could He be diverted from it by the Remonſtrances of the Lord *Oliver Cliſſon* one of his Counſellors, who ſhew'd Him the great Difficulty and Danger of this Undertaking: but when King *Edward* heard of it, He was not at all diſmay'd; for tho He might have much better encounter'd them at Sea with a powerful Fleet, yet whether it was that He could not ſet one out time enough to prevent the King of *France*'s coming, or that He rely'd upon the Valour of his Subjects; He and his Son the Duke of *Lancaſter* reſolv'd to fight the *French* ſo ſoon as ever they landed; and in order to receive them, had ſufficiently man'd all the Ports of *England* over againſt the Coaſts of *Picardy* and *Ponthieu:* and beſides this He had got in readineſs a vaſt Army, which He reſolved to command Himſelf in Perſon ſo ſoon as they could be got together. From whence we may obſerve how ſtrong and conſiderable the *Engliſh Militia* was in thoſe days, when ſo warlike a Prince durſt truſt Himſelf at the Head of it without any Standing Army.

K. Edward *upon notice of it fortifys his Ports,* &c.

Yet however, [1] to prevent the *French* King's coming, He ſent over the Duke of *Lancaſter* to *Calais*, accompany'd with the Earls of *Warwick*, *Hereford* and *Saliſbury*, the Lords *Manny*, *Roſs* and *Piercie*, and other Noblemen and old Commanders, with five hundred Men of Arms and as many Archers, who going on board, paſſed over to *Calais*; where being arrived, He ſummon'd in all the *Companions* and other Voluntiers, and making up a conſiderable Army within a few days, He marched into the *French* Territories [2] as far as the Abby of *Licques*, where he found much Plunder, and brought it away to *Calais*. Another time He went towards *Bologne*, where He deſtroy'd all the plain Country round about it; and tho at that time the Earl of *St. Paul* lay not far from thence at the City of *Terouenne*, yet he durſt not ſtir to oppoſe Him. So ſoon as King *Charles* received the News of the Duke of *Lancaſter*'s arrival with his Forces, and the Miſchief He had done, and might do further in his Country, it broke all his former Meaſures: and tho it had been reſolved by Him and his Council, that the Duke of *Burgundy* ſhould that very week ſet ſail for *England*, yet after a full Debate it was concluded, that that Expedition ſhould be laid aſide for the preſent, and all the Soldiers deſign'd for the Fleet ſhould be led by the Duke of *Burgundy* from *Rouen* towards *Calais*, to encounter the Duke of *Lancaſter:* Wherefore ſoon after the Duke of *Burgundy* marched from thence with his Army toward the River *Somme*, which He paſſed at *Abbeville*, and ſo by eaſy Marches He went to *Monſtrevil*, and there, and about *Heſdin*, ſtaid for the reſt of his Army that was behind.

[1] Id. ib. *He ſends the D. of* Lancaſter *over to* Calais.

[2] Id. c. 269. *Who marching into the* French *Territories, the* D. *of* Burgundy *is ſent to encounter him.*

When [3] the Duke of *Lancaſter* heard that the Duke of *Burgundy* was advancing towards Him, He was well enough pleas'd, being a young and active Prince that hop'd for ſome Action, whereby He might ſhew his Valour and Conduct; and ſo marched out of *Calais* with all his Forces, reſolving to meet Him and give him Battel; and

[3] Id. ibid.

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The Duke of Lancaſter *encamps near* Tournham.

The Duke of Burgundy *encamps upon the Hill above it; yet dares not fight the* Engliſh.

to that end encamped in the Vally near *Tournham* between *Ardres* and *St. Omers*. He had not been there above a day or two, before the Lord *Robert* of *Namur* came to his Aſſiſtance (as He had lately promiſed the King his Father) with a hundred Lances, and was very kindly received by the Duke his Couſin. Here the *Engliſh* Army lay, being ſtrongly entrench'd, and well furniſhed with Proviſion from *Calais*. Not long after which, the Duke of *Burgundy* marched thither alſo with a great Army, and encamped not far off from the *Engliſh* upon the Hill above *Tournham*. But tho the latter were by much the fewer in number, and marched almoſt every day out in Battel-Array to meet the Enemy, yet would not the *French* venture to come to a ſet Battel; for King *Charles*, taking warning from the ill Succeſs of his Father and Grandfather, not downright to oppoſe the Courage of an *Engliſh* Army, gave his Brother expreſs Orders to reſt ſatisfied with keeping the Enemy at a ſtand, and not to come to a Battel: So that great part of the time was ſpent in Skirmiſhes between Parties, in which ſometimes the *French*, and ſometimes the *Engliſh* had the better.

[a] Id. c. 270.

Ld Chandois *ſends to the E. of* Pembroke *for his Aſſiſtance, but is refus'd.*

He ſends again, but is put off.

Whilſt the two Armies thus lay idly confronting each other, let us ſee what hath been doing in [a] *Poictou* and *Aquitain*, between the Forces of the Lord *Chandois* and the Earl of *Pembroke*, and the reſt of the Commanders of the Prince of *Wales*, who had perform'd divers remarkable Exploits. The Lord *Audley* being retired into *England*, either for his Health or his own Occaſions, is by *Froiſſart* falſly ſuppoſed to be dead; but after his departure Sir *John Chandois* being made great Seneſchal of *Aquitain* in his ſtead, muſtered up the Prince's Forces, and reſolved to make an Expedition into *Anjou*, and return back by *Tourain*, to ravage and ſpoil the *French* Territories. But to make his Party the ſtronger, He ſent to the Earl of *Pembroke*, who then lay at the Caſtle of *Mortagne* in the Borders of *Anjou* with two hundred Lances, to accompany Him in this Expedition; but the Earl being over-perſuaded by ſome young Gentlemen that were then about him, they inſinuated, that He being ſo great a Peer, and ſo nobly ally'd, it was below him to accompany one ſo much his Inferior, and who being a Commander of ſo great a Reputation, would be ſure to have the Glory of any great Action that ſhould be perform'd; ſo that he refus'd to come to Sir *John*: which childiſh Emulation proved not only a great Hindrance to this Expedition, but alſo a mighty Shame and Prejudice to the Earl himſelf, as you will find by and by. Notwithſtanding this, the Lord *Chandois* would not alter his Reſolution, but having muſter'd up three hundred Men at Arms and eleven hundred Archers, and being alſo attended by divers Noblemen and experienc'd Officers, he marched into *Anjou*, ſpoiling and plundering the Country for fifteen days together: But his Forces being not numerous enough, He could not take any Town or Caſtle of note; however having notice that the Marqueſs of *Sancerre*, Mareſchal of *France*, was at *la Hay en Touraine* with a conſiderable Body of Men, and being deſirous to march that way, but not thinking Himſelf ſtrong enough to encounter the Mareſchal, He ſent a Herald again to the Earl of *Pembroke* to deſire his Company and Aſſiſtance. To which Meſſage the Earl only return'd, ***That he could not come, being now engag'd another way.*** Upon the receipt of which Sir *John Chandois* being much

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much diſpleas'd, only reply'd, *Well then, in God's name be it ſo, ſince a Man of Honour can be biaſs'd from the good of his Country by private Deſigns.* And therefore finding he was able to do nothing more conſiderable, he diſmiſs'd his Troops, and return'd to *Poictiers.*

[3] Id. c. 271.
The Earl of Pembroke *goes with his Forces into* Anjou, *and ſpoils the Country.*

Now [3] when the Earl heard he had ended his Expedition, he thought it high time to do ſomething that might eſtabliſh his own Reputation; wherefore he marched out with three hundred Lances, and ſome Voluntiers of Quality, that had lately been with the Lord *Chandois*; and with theſe he marched thro *Poictou*, and from thence into *Anjou*, taking almoſt the ſame way the Lord had done before, ravaging the Country, and getting all the Plunder the other had left: and ſtaying ſome time in the Country about *Loudun*, went from thence into the Lands of the Count *de Rochechouart*, who had lately revolted from the *Engliſh* Intereſt, burning the Country, and doing what Miſchief he could; which when Sir *Robert de Sancerre*, the Mareſchal's Couſin, with other *French* Commanders who lay in thoſe Parts, underſtood, and knowing the Earl was a young man, raw and unexperienc'd, they reſolv'd to ſurprize him, and ſo muſtering up what Forces they could out of the adjoining Gariſons, they made up a Party of about ſeven hundred Men; which being commanded by the Mareſchal *de Sancerre*, they marched after the Earl, then upon his return home with a great Booty; and coming to a certain Village called *Puirenon*, he reſolv'd to bait there, but having no Scouts out, nor Intelligence of the Enemy, they were upon them before they were aware, and falling into the Town, kill'd the *Engliſh* in the Streets and Houſes; ſo that all the Earl of *Pembroke* could do, was to rally about two hundred of his Men, and with them immediately to take refuge in an Encloſure pretty ſtrongly wall'd, belonging to an old Houſe of the *Templars*, where ſhutting up the Gates, and cloſing them with Stones and Earth, they reſolved to defend themſelves as long as they could; but the *French* ſoon followed them, and made a brisk Aſſault upon the Place, and clapping Ladders to it, endeavour'd to ſcale it; but the *Engliſh* from within ſo well defended it themſelves with Stones and Arrows, that tho the Aſſault laſted till it was dark night, yet could they not take the Place. So ſoon as the *French* were retir'd, the Earl conſider'd with himſelf what to do, and finding he could not long hold out, without ſurrendring either by Force or Famine, preſently diſpatched away an Eſquire of his by a Poſtern to Sir *John Chandois*, who was not far off at *Poictiers*, to deſire his ſpeedy Aſſiſtance; but the Meſſenger loſing his way, could not get thither till about Nine the next Morning. In the mean while, ſo ſoon as it was day, the *French* renewed the Aſſault; but being again repulſed with loſs, they reſolved to take another courſe, and to imploy Pioneers to undermine the Walls: but whilſt the Workmen and Tools were providing for that purpoſe, the Earl not ſeeing Sir *John Chandois* coming to his relief, took this opportunity to ſend another Meſſenger to him with a Diamond Ring for a token, again to deſire his ſpeedy Aſſiſtance. When this Meſſenger got thither, he found Sir *John*, who, tho he had already notice of it, yet out of ſome Reſentment of the Earl's late unkind Dealings towards him, was not very haſty to go; but at laſt calling to mind, that he was the King's Son-in-law, he preſently roſe from the Table (being ſat down to Dinner) and march-

He is ſurpriz'd by the French *at* Puirenon.

Ld Chandois *comes to his relief, whereupon the* French *march off.*

ed away with his Forces to the Earl's Aſſiſtance; but the *French* Officers, who had now renew'd the Aſſault, having timely Intelligence by the Scouts they had ſent out, that Sir *John* was upon his March with a ſtrong Party to reſcue the Beſieged, they thought it the ſafeſt way to march off with what they had got, and to return homewards before the *Engliſh* could arrive, which they did accordingly, carrying away a great deal of rich Booty with many Priſoners. When the Earl and his Company ſaw that the *French* were gone off, and out of ſight, they ventur'd out of the Place, and taking Horſe, rode forward towards *Poictiers*, to ſee if they could meet Sir *John Chandois*, which they did about a League off, who upon their meeting congratulated their eſcape, and ſeem'd very ſorry that the *French* were gone before they could arrive. Then taking their leaves of each other, the Lord *Chandois* return'd to *Poictiers*, and the Earl to the Caſtle of *Mortagne*, from whence he firſt ſet out; having, I ſuppoſe, learn'd by a dear bought Experience the evil effects of Raſhneſs, bad Conduct, and needleſs Emulation. But we ſhall now look to what was doing on the ſide of *France*.

[1] Id. c. 273.

The French *aſſault the* Engliſh *Camp, but are repuls'd.*

In the mean while, the *French* and *Engliſh* Armys near *Calais* ſtill [1] lay facing each other, without coming to any Engagement; only once it happen'd, that certain Knights and Voluntiers of *Artois* and *Picardy* reſolved (unknown to their Captains) to aſſault the *Engliſh* Camp, and ſo fell ſomewhat before day upon that Quarter, where the Lord *Robert* of *Namur* lay with his Troops: He having been that night upon the Guard, was not gone to Bed, but was taking ſome Refreſhment, when upon the hearing of the Alarm, He immediately ran with his drawn Sword in his Hand to head his Men, which He did with that good effect, that the *French* were beaten off, and retired for fear of the coming in of greater Forces.

[2] Id. c. 274.

Yet it [2] diſpleas'd many warm Spirits of both Parties, that the two Armys ſhould lie thus long confronting one another to no purpoſe; tho on both ſides they were alarm'd every day by Reports, that they ſhould fight without fail on *the Morrow*, which *to Morrow* it ſeems, never came; for (as we ſhew'd before) the Duke of *Burgundy* durſt not diſobey the Commands of the King his Brother, who had ſtrictly charged Him by no means to fight the *Engliſh* without expreſs Order.

[3] T. W. & Contin. MS. ad Muremouth.

The Earl of Warwick's *going now over into* France *with ſome Troops, ſeems improbable.*

But it is related by divers of our [3] Hiſtorians (both in Print and Manuſcript) that *Thomas Beauchamp*, Earl of *Warwick*, continuing ſtill in *England*, and hearing how meanly the *Engliſh* Commanders then declin'd a Battel with the *French*, muſter'd up ſome choſen Troops, and paſſed over with them to *Calais*; and that upon the News of their Arrival the *French* decamped in great haſt, and march'd off into their own Territories; and that ſo ſoon as the Earl arrived at the *Engliſh* Camp, He highly blam'd thoſe who occaſion'd that ſhameful Delay, and ſaid, *I will go on and fight the Enemy, whilſt the* Engliſh *Bread and Beef is yet in their Bellys:* and that thereupon he immediately enter'd the Iſle of *Caux* in *Normandy*, which he laid waſt. But this, tho related by good Authors, may very well be queſtion'd; for *Froiſſart*, who wrote not long after, ſays expreſly, that this Earl went over at firſt with the Duke of *Lancaſter*; and alſo that the fault lay not on the *Engliſh*, but *French* ſide, that they did not come to a Battel: and it is very much that the Duke of *Lancaſter* and the Lord *Manny*, Perſons of great Courage and Experience in Military Affairs, ſhould be blam'd for not doing their Duty; whereas it would have been next to Madneſs to have ſet upon the *French* in their Trenches, when they had ſo much the odds in number. And as for the buſineſs of *Caux*, tho *Froiſſart* makes the Duke to have been there, yet he aſcribes the main Honour of it to the Duke of *Lancaſter*, who commanded in chief, as you will find by and by; ſo that as for this Action of the Earl of *Warwick*'s, I ſhall leave it to the Reader to judg as he pleaſeth, ſince 'tis very doubtful, if not improbable. But to come to ſomewhat more certain.

The [2] Duke of *Burgundy* being uneaſy in lying ſo long encamped againſt the *Engliſh* without any Action, at laſt grew quite tired of it, and ſent to the King his Brother, either that He would give him leave to come to a Battel, or elſe to break up his Army and return home; which he judging but reaſonable, thought the latter to be more ſafe, and ſo ſent him immediate Orders to decamp; thereupon the Duke preſently roſe, but ſo privatly, that the *Engliſh* Commanders had not the leaſt notice of it: So that when one of the chief Officers, who was that night upon the Guard, ſaw the great Light proceeding from the burning of the Huts in the *French* Camp (which they had ſet on fire before their Departure) He believed it to be ſome Stratagem of theirs, and went immediately to inform the chief Commanders of the Army thereof. Whereupon the Duke of *Lancaſter* expecting ſome ſudden Surprize or Aſſault, immediately gave Orders for the whole Army to be drawn out in Order of Battel; which being done, and ſeeing no Enemy advance, Scouts were ſent out to diſcover what was doing in the *French* Camp, who not long after brought word, that it was entirely deſerted, none being left behind but ſome few Sutlers that had followed the Army. This ſeem'd very ſtrange News to the *Engliſh* Generals, ſince they did not imagine the *French* would have ſtolen away as they did; but upon it the Duke of *Lancaſter* decamp'd, and return'd to *Calais* with all his Forces.

[2] Froiſ. ib. *The D. of* Burgundy *decamps and retreats.*

Then [3] after a few days reſt to recruit his Army, the Duke again drew out his Forces, and being attended by the Earl of *Warwick* and the Lord *Beauchamp*, the two Marſhals of the Camp, marched into the *French* Territories; and paſſing by the Towns of St. *Omers* and *Terouenne*, as too ſtrong then to be undertaken, they went into *Artois*, intending to have ſurprized the ſtrong Town of *St. Paul*, belonging to the Earl of that Name; but he, upon the approach of the *Engliſh* Army, ſuſpecting their deſign, left *Terouenne*, where he was Governour, and marching all night with a Body of ſelect men, got into the Place abovemention'd, and thereby ſaved it from being taken: So that tho the *Engliſh* made an Aſſault, yet they were forced to leave it, and then advancing further, burnt the Town of *Luchen*, but the Caſtle they could not take. Thus the *Engliſh* marched three or four Leagues a day, burning and deſtroying the Country as they went, until they paſſed the River *Soame* at *Blanchettaque*, with a deſign to march to *Harfleur*, and there ſet fire on the *French* King's Navy, whilſt the Earl of *St. Paul* and the Conſtable *de Fiennes* follow'd them at ſome diſtance with a conſiderable Body of Men at Arms to obſerve their Motions; but tho they could do nothing upon the *Engliſh* in their March, by reaſon they kept ſo good Order, yet the Earl of

[3] Id. c. 276. *Upon which the Duke of* Lancaſter *marches into the* French *Territories.*

And paſſing thro Normandy, *returns to* Calais.

St. Paul having got into the Town of *Harfleur* before they could arrive, thereby fruſtrated that Deſign: So that after they had lain three or four days before that Place, they were forced to leave it, and then paſſing thro *Normandy*, burnt and deſtroy'd that part of the Country called *le Pais de Caux*, and then repaſs'd the River *Soame* at the ſame place they went over before. And thus the Duke of *Lancaſter* return'd in Safety to *Calais* with his Army, without any conſiderable loſs, except that of the [1] Earl of *Warwick*, who deceaſed on the thirteenth of *November* of the Plague, or ſome other infectious Diſeaſe of the Camp; of whom my Author giveth this Character, that *He ſcarce left his Equal behind him both for Loyalty and Courage.* His Body was brought into *England*, and buried in the Choir of the Church of *Warwick*, where his Tomb and Statue of white Marble, with that of his Counteſs, are ſtill to be ſeen.

The Deceaſe of the E. of Warwick, *with his Character.*

The D. of Lancaſter *returns into* England.

When [2] the Duke of *Lancaſter* had been for ſome time at *Calais*, He gave leave to all the *German* and other foreign Auxiliaries to return home, promiſing them to come again the next Year much better provided than He was now; and not long after He himſelf went for *England* on the nineteenth of *November*, the Seaſon being then paſt for any conſiderable Action: tho indeed all that the Duke did this Summer was rather to play a ſaving Game; the King of *France* having by this wary Management ſo far diſappointed the main Deſign of the *Engliſh* in coming to a deciſive Battel. And tho they afterwards did his Country a great deal of Miſchief, yet was it without any other advantage to his Enemies, beſides the getting ſome Plunder, ſince they loſt never a conſiderable Town or Caſtle on this ſide of *France* during this Campagne. But before we conclude this Year, let us ſee what hath been doing in *Poictou* this Autumn.

E. of Pembroke *marches again into* Anjou, *where he plunders the Country.*

The [3] Earl of *Pembroke* being reſolv'd to revenge the late Afront he had received from the *French*, went to *Angoleſme* to the Prince of *Wales*, and deſired his leave to undertake another Expedition into *Anjou*; and upon Sir *Hugh Calverley*'s being returned with five hundred of the *Companions* from an Excurſion he had made into the Territories of the Lord of *Armagnac* (where he had committed great Devaſtations) the Prince commanded him to join his Forces with thoſe of the Earl of *Pembroke*, and to accompany him in this Deſign. He was alſo attended by the Lord *Lewis* of *Harcourt* and divers other Voluntiers of Quality, who made up in all a ſmall Army of about eight hundred Horſe and fifteen hundred Foot, with which he again marched into *Anjou*, and burnt and plunder'd the Country as far as *Saumur*; but that being too ſtrong to be taken by his ſmall Forces, he contented himſelf with burning the Suburbs. While the Earl lay here, Sir *Hugh Calverley* and his Troops went to a Town on the *Loire*, called *Pont de Ce*, about a League from *Angiers*, which being not very well fortified, they eaſily took, and put a good Gariſon into it; and not long after they alſo took in the Abby of St. *Maure*, which they ſo ſtrongly fortified, that it proved a conſiderable Defence on that ſide, and did much harm to the Country adjoining, all that Winter, and Summer following.

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[1] T. W.

[2] Froiſ. c. 277.

[3] Id. ib.

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The French *take the Town of St.* Salvin.

But theſe ill Succeſſes on the *French* ſide were ſomewhat made up by their Surprizing the ſtrong Town of St. *Salvin*, in which there was an Abby; and a Monk there having an implacable malice againſt his Abbot, had no other way to be revenged of him than by betraying the Abby into the hands of Sir *Lewis* of St. *Julian*, who with ſome Troops of the *Companions* getting into it, from thence eaſily maſter'd the Town, which they preſently new fortified. The loſs of this Place was a great vexation to Sir *John Chandois*, becauſe being Seneſchal of *Poictou*, it lay within his Government; wherefore He reſolved to retake it as ſoon as he could, but loſt his Life in the Attempt, as you will find hereafter.

[1] Mezeray ad An. 1368. Chr. Franc. MS. ad hunc An.

[1] To give the Reader ſome Diverſion from the Affairs of War; about the beginning of *April* this Year, the Match was concluded between *Philip* Duke of *Burgundy*, Brother to the King of *France*, and *Margaret* Daughter to the Earl of *Flanders*, which was chiefly effected by the Counteſs of *Artois*, Mother to that Earl; and not long after it was Conſummated, to the great joy of the *French*, who thereby defeated the hopes King *Edward* had of making this Match for one of his Sons, and alſo their Power and Intereſt were greatly ſtrengthened by this Alliance.

[2] Froiſ. c. 273.

The Death of Q. Philippe.

If we look into *England*, [2] we ſhall find nothing there but Grief and Mourning, for the Death of that good Queen *Philippe*, Wife to King *Edward*, who deceaſed at *Windſor* on the Fifteenth day of *Auguſt*, after a long Sickneſs. *Froiſſart* gives a large Account of her Death, and the handſom Speech She made to the King before her Departure; wherein after She had call'd to mind that great Happineſs, Peace and Proſperity they had liv'd in for ſo many years, She concluded with making Him theſe three Requeſts: The firſt was, That He would be pleas'd to pay all her Debts; the Second, That He would make good all her Charities and Donations to Colleges, Churches and Religious Houſes; and the Third, That He would give Orders when ever He died that his Body ſhould be bury'd by Her's at *Weſtminſter*. Theſe being granted by the King with moſt tender Expreſſions, She then, having recommended Him, with Her ſelf and Children, to God's Mercy and Protection, quietly departed, to the great Grief of all her Subjects, who highly loved and honoured Her, as being a true Friend to the *Engliſh* Nation, Liberal to her Servants, and highly Charitable to the Poor. She lies buried in the Abby Church of *Weſtminſter* under a Tomb of black Marble, on which lyes her Effigies in Alabaſter, with an odd Head-dreſs according to the Faſhion of that Age. Near it hangs a Tablet, containing ſome indifferent *Latin* Verſes, ſetting forth Her Birth, Marriage and Vertues, the two laſt Verſes concluding with Her being Foundreſs of *Queen*'s College in *Oxford*:

Her Character and Acts of Charity.

Oxonii poſuit Studioſis optima Nutrix
Regineas Ædes, Palladiámque Domum.

Tho her Chaplain and Confeſſor, Dr. *Robert Egleſfield* (at her Expence) laid the firſt Foundation of it, *An. Dom.* 1340. yet he never lived to ſee it finiſhed. So much I thought fit to mention for the Honour of that College, where I received the greateſt part of my Education. This Year alſo deceaſed *Blanche* Dutcheſs of *Lancaſter*, during her Husband's abſence abroad, leaving one Son, *Henry* of *Bullingbrook*,

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brook, who was afterwards King of *England*, by the Name of *Henry* the IV. beſides two Daughters *Philippe* and *Elizabeth*. Alſo on the Fourth of *November* died that Noble old Warrier *Robert Ufford*, Earl of *Suffolk*.

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[4] T. W.

The King borrows great Sums, which raiſes much diſcontent.

In the beginning of this Year, [4] notwithſtanding the late great Aſſiſtance the Parliament had given the King, He was ſtill in ſuch great want of Mony, that not being willing again to have Recourſe to his People (in Parliament I ſuppoſe) for fear of being deny'd, He followed very unhappy Councils, and borrowed great Sums of Mony of Merchants and other Perſons of Eſtates, affirming He had need of it for the Defence of the Kingdom, and would lay it out accordingly; tho my Author ſays, it did not turn to any good Account.

[5] Froiſ. c. 277.

Sir John Chandois *endeavors to ſurprize the Town of St.* Salvin, *but is diſappointed.*

But ſince I find nothing now in *England* worth our remarking, We ſhall look into *France*, and ſee what was doing there in the mean while. [5] Preſently after *Chriſtmas*, Sir *John Chandois* being reſolved to ſurprize the Town of St. *Salvin*, which was not long before unhappily betray'd (as hath been already related) He to that end muſter'd up a ſmall Army of *Engliſh* and *French*, to the number of about Three thouſand Men, who marching thither in the Night, intended to have got over the Ditches of the Place, it being a great Froſt, and the Ice then very thick; but coming thither about Midnight, their Deſign was by an Accident (which I need not here relate) unluckily defeated: whereupon He together with his Forces turn'd aſide to *Chavignie* there to reſt themſelves, where the *Poictovin* Voluntiers (ſince there was no more to be done) deſired leave to go Home, which was granted them; but the Lord *Chandois* ſtaying behind to take ſome reſt, received Intelligence before Day, that there was a Party of the *French Companions* led by Sir *Lewis* of St. *Julian*, and one *Carlonet* the *Breton*, not far off upon the Road: upon which News He would needs go out to look after them, which He did with thoſe few Gentlemen and Voluntiers that were left with Him, not being above Forty in all, when meeting with the *French* Men unluckily at a Bridge call'd *Luſak*, the *Engliſh*, tho much the fewer in number, were reſolved to defend that Paſs, where Sir *John Chandois*, and moſt of his Men alighting, to reſcue an Eſquire of his who was like to be kill'd, He there unhappily fell down, and before He could riſe again, an ordinary *French* Gentleman, called *Jacques de St. Martin*, taking advantage of Sir *John*'s Blind-ſide (for he had loſt his left Eye by an Accident) with a Sword ran him in juſt by it, between the Noſe and the Forehead, that piercing to his very Brain, He fell down for dead; and tho the *Engliſh* behaved themſelves very Valiantly, yet they were all made Priſoners, and might have been very well carry'd off, had not the *French* Pages at the beginning of the Fight run away with their Maſters Horſes, for fear of the Lord *Chandois*, who was then coming upon them. But whilſt they were contriving how to get Home, there came ſuddenly upon them the Lords *Guiſchard D'angle* and *Lewis de Harcourt*, with divers other *Engliſh* and *Gaſcoignes* to the number of two hundred Lances, who having parted from the Lord *Chandois* early that Morning, rode about to ſeek for the *French* Men, whom they had heard were abroad; and ſo falling into their Track, came accidentally where this Skirmiſh had happen'd; upon the ſight of whom the *French* beg'd Pardon of the *Engliſh* Gentlemen their Priſo-

And encountring a Party of the French, *he receives his Detah's wound.*

He is reſcued, and the French *defeated.*

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Priſoners, and deſir'd they might rather ſurrender themſelves to them, which they readily granted. So when theſe Lords came up, and ſaw in what a ſad condition Sir *John Chandois* lay, they were highly concern'd; for He was now ſpeechleſs, and indeed never ſpake more: but being carefully convey'd to *Poictiers* (as were alſo all the *French* Priſoners) He died of his Wounds within two Days after, to the great Grief of the whole Army, eſpecially of Prince *Edward* and his Royal Brothers the Earls of *Cambridge* and *Pembroke*, who now, by the Death of ſo Great a Commander, began to fear the loſs of all they had on that ſide the Sea; inſomuch that the King of *France* Himſelf, when He heard of this Miſchance that befel ſo Noble a Kinght, is reported to have wept, becauſe of his exceeding Valour, Modeſty, Generoſity, and admirable Prudence; *Beſides that He was of ſo great Worth and impartial Sincerity, that He knew none living ſo likely as He to have renewed the Peace between the two Crowns.*

Soon [1] after the King of *France* ranſom'd thoſe Commanders of the *Companions* lately taken priſoners in the ſkirmiſh at the Bridg of *Luſak*; and about the ſame time divers Barons and Lords of thoſe Parts finding the *Engliſh* Intereſt began to decline, conſpir'd to quit it, and go over to the King of *France*; whereupon the Lord *Felton* caus'd the Lord *William de Pamiers* with his Secretary, and one more of his Council to be apprehended: and being brought to a Tryal, it was proved upon them, that the ſaid Lord *de Pamiers* had covenanted to yield himſelf, and all his Caſtles to the *French* King; whereupon he and his Servants were condemn'd to be beheaded in the City of *Bourdeaux*. There were alſo divers other Knights and Perſons of Quality apprehended upon the like account: but there were [2] ſeveral great Lords of *Aquitain* and *Poictou* who refuſed to break their Oath of Allegiance to King *Edward* and the Prince his Son, the Chief of whom were the Lord *John de Bourbon* Earl of *Marche*, and a great Baron of *Limoſin*, called *Pierre de Buſſier*, (who notwithſtanding the very next Year proved falſe to the *Engliſh* Intereſt.) yet theſe were but a few in compariſon of that far greater number of the Nobility of thoſe Parts, who out of Levity or Diſcontent quitted the *Engliſh*, and went over to the *French* Intereſt. But the Lord *de Coucy*, tho made Earl of *Bedford*, having a great Eſtate both in *England* and *France*, and finding the Breach between the two Kings impoſſible to be made up, and that if he ſtaid at Home he muſt take up Arms againſt King *Edward* his Father-in-Law, or his Natural Sovereign of *France*, to avoid either of theſe Inconveniences, rather choſe a Voluntary Baniſhment; and ſo paſſing into *Italy* with ſome of his Retinue, ſerved the Viſcounts of *Milan* in their Wars againſt the *Florentines*, and afterwards the Pope. Upon which conſideration, he quietly enjoy'd his Eſtate in *France* during his Abſence; tho I ſuppoſe that which made him take this Reſolution might be, that Solemn * Arreſt or Confiſcation of the Dukedom of *Aquitain*, now iſſued by King *Charles* againſt King *Edward* and his Son the Prince of *Wales*, dated at *Bois de Vincennes* the Fourteenth of *May* 1370. wherein after it is poſitively (tho falſly) affirm'd, That the Superiority and Reſſort of the whole Dukedom of *Aquitain*, and the other Lands delivered and aſſigned to the *Engliſh* by the Treaty of *Bretigny*, were eſpecially and expreſly reſerved to his Father, Himſelf and Succeſſors; and then it farther ſets forth, That K. *Edward* and the

The Lord De Pamiers *put to Death for conſpiring to revolt to the* French *King.*

Several great Lords of Aquitain *adhere to the* Engliſh *Intereſt.*

The L. De Coucy *goes into* Italy.

K. Charles *iſſues an Arreſt declaring the Dutchy of* Aquitain *forfeited by K.* Edward.

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[1] Id. ib.

[2] Id. c. 278.

* See this printed in *Leibnitz* Cod. Diplomat. p. 228, 229.

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the Prince his Son, had by ſeveral Oppreſſions and Grievances committed on the Subjects of that Dutchy, and by refuſing to anſwer or obey the Appeal they had made againſt them the ſaid King and Prince for the ſame, tho they had been warned by his (the *French* King's) Ambaſſadors ſo to do, whom nevertheleſs he detain'd and ſtill detains. As alſo by divers Inſults and Invaſions made by the ſaid King and his Son, had violated the Peace they ſolemnly ſwore to maitain; and for that their Rebellion (as it is there ſtiled) Contempt and Uſurpation of the ſaid Superiority and Reſſort of the Dukedom of *Aquitain* and other Lands, and for many other Crimes therein mention'd, that Dukedom with all its Dependencies are declared forfeited; and he alſo ſummons all Perſons of what Degree ſoever within the ſame, immediatly to appear before Himſelf or his Brother the D. of *Anjou*, his Lieutenant in thoſe Parts, to do Homage and ſwear Allegiance to Him.

[r] Id. c. 279.

The Caſtle of Chaſtelheraut *ſurprized by the* Companions.

The D. *of* Bourbon *beſieges the Caſtle of* Belleperche *to ſet free his Mother.*

The Engliſh *Generals not being able to raiſe the Siege, ſhe is remov'd to another Place.*

But We ſhall now return to the reſt of the Actions of this War in *France*, ſome of the moſt conſiderable of which happen'd before the Date of this Inſtrument above-mention'd: for in the beginning of this Year, [r] Sir *Lewis* of St. *Julian* and *Carlonet de Bretagne*, with other Captains that had been taken Priſoners and lately ranſom'd, joyning their Forces together, which conſiſted for the moſt part of the *Companions*, marched to *Chaſtelheraut* one Morning early, and ſurprized that Place; the Lord *Lewis* of *Harcourt*, who was then Governour, hardly eſcaping half naked. In the mean while *Lewis* Duke of *Bourbon*, knowing that the Lady his Mother was kept Priſoner in the Caſtle of *Belleperche*, muſter'd up a ſmall Army, and went and lay'd cloſe Siege to it, and having raiſed a ſtrong Work or Baſtion before it, encompaſſed with a Ditch, from thence ſo batter'd it with great Stones caſt by certain Engines, that the Beſieged finding themſelves in very great hazard of being taken, ſent to Sir *John d'Evereux*, Seneſchal of *Limoſin*, to deſire his ſpeedy Aſſiſtance; but not having Forces ſufficient for that purpoſe, He went to *Angoleſme*, and moved the Prince to ſend his Brothers the Earls of *Cambridge* and *Pembroke*, with other old Officers and Soldiers to the number of between four and five thouſand, to relieve the Place; where when they arrived, they found the *French* Army ſo ſtrongly entrenched, that tho the *Engliſh* ſat down on the other ſide of the Caſtle, yet could they not raiſe the Siege. The *Engliſh* Generals indeed challenged the *French* to come out of their Trenches and fight them; but all the Anſwer they could get from them, was, That they would not fight at their Appointment, and yet would for all that take the Caſtle before their Faces. Upon this the *Engliſh* finding they could neither oblige the *French* to fight, nor yet ſecure the Caſtle from being batter'd down by the Enemy, they took the Counteſs of *Bourbon* (for whoſe ſake the Duke her Son had undertaken this Siege) and ſetting Her on Horſeback with her Waiting-women, convey'd Her to a ſafer Place: and then the *Companions* having quite ſpoiled the Caſtle, marched out of it, with all their Baggage, and left the Caſtle to the *French*, which they preſently repair'd, and new fortified ſtronger than it was before. But [s] as for the Lady of *Bourbon*, She was not long after ſet free by Exchange for Sir *Simon Burley*, the Prince's Favourite; which was done by means of the Lord *d'Ambreticourt*, who had not only many Thanks, but was nobly preſented by the Queen of *France* for his great Kindneſs and Civility to her Mother.

[s] Id. c. 281.

She is not long after ſet free by Exchange.

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Much about this time, [1] Sir *Robert Knolles* took Leave of the Prince, and went into *Bretagne*, from whence he was not long after ſent for into *England* by King *Edward*, in order to make him Commander in Chief of thoſe Forces, which He was now about to ſend over to carry on the War in *Picardy*; and about Eight Days after *Midſummer*, Sir *Robert* taking Shipping at *Southampton*, arrived at *Calais* with his Army, which being there muſter'd amounted to near Six thouſand Men, whereof there were Fifteen hundred Men of Arms, and Four thouſand Archers on Horſeback; over whom the Chief Commanders were, Sir *Thomas Grandiſon*, Sir *Alan Boxhul*, with others of good Note. Then marching from *Calais*, they reached the firſt day to a Town called *Fiennes*; but the Conſtable of *France* (who was then Lord of it) being in the Place with a competent number of Men to defend it, the *Engliſh* Commanders thought fit to paſs it by, without attempting it; and then marching thro the County of *Faukenberg*, they deſtroy'd all before them, till they came to *Terouenne*, which they let alone for the ſame reaſon. Then paſſing the River *Lys*, they enter'd *Artois*, and came by eaſy Marches to *Mount St. Eloy* near *Arras*, where they refreſhed themſelves for two days; in the mean while ſending out Partys to burn and deſtroy the Country round about. But as for the City of *Arras* it ſelf, they paſſed it by without doing it any other harm than burning the Suburbs, which they did without any oppoſition, for not one of the Gariſon offered to ſally out to hinder them. The reaſon was, becauſe the King of *France* having before the Arrival of the *Engliſh* Army very well mann'd and fortified all his Towns upon the Frontiers, ſtrictly enjoyn'd his Governours and Chief Officers, not to be drawn to any Set-fight, but merely to Act on the Defenſive: which Order being punctually obey'd, proved more prejudicial to the *Engliſh* than downright Force; for by this means they could be Maſters of no more than what lay abroad in the Country, or in open and indefenſible Towns, moſt of the Inhabitants of any Note being retir'd with their Effects into ſtrong and well fortified Places.

[1] Id. ib.

Sir R. Knolles *made General of the Army which* K. Edward *ſent into* Picardy.

They march into the French *Territories, and deſtroy the Country, but are not ſtrong enough to take any Conſiderable Town.*

Then [2] the *Engliſh* Army leaving *Artois* paſſed into *Vermandois*, and went towards the Town of *Ham*, whither all the People of thoſe Parts had retired with their Goods for Security: But they let this Place alſo alone, as they had done ſeveral others; to which Sir *Robert Knolles* ſent the Marſhals of his Camp to parly with the reſpective Governors thereof about compounding with them, with Aſſurances that for a good Sum of Mony preſently to be paid down, the *Engliſh* Army ſhould march off, without doing any Miſchief to thoſe Towns, or the adjacent Country; and ſo by this means Sir *Robert Knolles* gained in this Expedition for his own ſhare above an Hundred thouſand *Franks*: but this Bargain had like to have coſt him very dear, for he was afterwards accuſed to the King, as having ſpared his Enemies for Mony, as you will find hereafter. But to proceed: Sir *Robert* marching from *Ham*, came to the Town of *Roye*, which he took, plunder'd and deſtroy'd, as he did alſo the Country round about, without ſparing any thing, except the Lands of the Lord *de Coucy*, King *Edward*'s Son-in-Law, whoſe Tenants and Dependants came off very well for his Sake. Thus they went on until they came before *Noyon* in *Picardy*, which, being very well provided to hold out for a Siege, they likewiſe paſſed by, none of the Gariſon offering to make any

[2] Id. ib.

Sir R. Knolles *compounds with the* French *to ſpare the Country, for which he is accuſed to* K. Edward.

He plunders the Town of Roye, *but ſpares the Lands belonging to the Lord* de Coucy.

Sally

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He paſſes the River Oyſe, *burns* Pont l'Eveſque, *&c.*

He approaches near Paris, *yet the* Fr. *King dares not give him Battel.*

Whereupon he retreats to the Borders of Poictou.

Sally upon his Army. [1] Then leaving that place, he paſſed the River *Oyſe* at *Pont l'Eveſque*; which Town, tho very well built, was alſo plunder'd and burnt. Then the *Engliſh* Army went thro *Laonnois* without any Oppoſition; only the Viſcount of *Mouſe*, and the L. *Chauny* with ſome other *French* Noblemen and a Flying Party, coaſted along at a pretty diſtance from the *Engliſh* Army, watching for ſome Advantage; but they having Intelligence of it, kept ſo good Order that they could not effect their Deſign: Inſomuch that they encamped every night in the open Country, where they found plenty of Victuals and New Wine, the Vintage being but lately over. [2] Thus they marched thro the Archbiſhoprick of *Rheims*, *Champagne* and *Brie*, burning and plundering all before them, till paſſing the *Seine*, they came near the City of *Paris* it ſelf, hoping thereby to provoke the *French* King to come out and give them Battel. But tho He was at that time in the City with a Conſiderable Army, and attended by the Conſtable of *France*, and the Earls of St. *Paul*, *Tankerville*, and divers others of the Principal Nobility, and that He ſaw from his very Palace the ſmoak of his burnt Towns and Villages; yet did it not ſuit with his cautious and timorous Temper to run the riſque of a Battel: wherefore He followed the Advice of his Great Counſellor the Lord *Cliſſon*, who diſſuaded him from ſending out any Forces to oppoſe thoſe Hot-headed *Engliſhmen*, whoſe Fury, like a Torrent, if not reſiſted, would ſoon abate of it ſelf; which proved true enough: for when Sir *Robert Knolles* had lain near two days before *Paris*, without the leaſt Oppoſition, he thought fit to retire of his own accord, and that Night took up his Quarters between *Paris* and *Montlehery*, by a little River named *Yvette*, and from thence marched back, and retreated into the more Southern Provinces on the Borders of *Anjou*, where he continued till part of the Army, thro their own Wilfulneſs and ill Conduct, received ſuch an entire Defeat, as broke all his Deſigns for the future, which you'll find by and by.

The King ſends the Duke of Lancaſter *into* Aquitain *to oppoſe the Dukes of* Anjou *and* Berry.

Who being aſſiſted by Sir Bertrand de Gueſclin, *&c. take divers ſtrong Places.*

But We will now look back into *England*, and ſee what K. *Edward* hath been doing in the mean while, to oppoſe thoſe great Preparations that the Dukes of *Anjou* and *Berry* had been making, to carry on the War in *Aquitain* this Campagne. Now in order to this, [3] the King not long after Sir *Robert Knolles*'s going over with his Forces to *Calais*, thought fit to ſend his Son the Duke of *Lancaſter*, as his Lieutenant General into *Aquitain*, together with a ſmall Force of Four hundred Men of Arms, and as many Archers commanded by the Lord *Roſs*, Lord *Abergaveny*, and ſome others, who taking Shipping at *Southampton*, landed at *Rochel*; but before they could arrive, the Duke of *Anjou* had marched from *Tholouſe* with an Army of about Ten thouſand Men, whereof Six thouſand were Foot, being commanded by Sir *Bertrand de Gueſclin*, who being ſent for by the *French* King was now return'd out of *Spain*, from aſſiſting King *Henry* the *Baſtard*; the Horſe were commanded by the Earls of *Armagnac*, *Perigort* and others. With theſe Forces they marched thro *Agenois*, and no Body being there to oppoſe them, they took *Moyſac*, and a ſtrong Town of *Quercy* yielded as ſoon as ever they appeared before it. Then they marched towards *Monpeſat* and *Aguillon*, the latter of which (tho one of the ſtroneſt Caſtles in *France*) was ſurrender'd after Four days Siege, thoſe that then defended it, not being like the Lord *Manny*, who about Twenty years before, had held it out againſt the Duke of *Normandy* and an Army of near a hundred thouſand Men; but after they had taken theſe Places, the *French* Army marched forward without any Reſiſtance along the *Garonne*, until they came to *Port St. Mary*, which they took, as they did afterwards both the Town and Caſtle of *Tonniens*, into which they put new Gariſons.

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[1] Ib. c. 285.

[2] Id. c. 288.

[3] Id. c. 282.

The Duke of Berry *makes an Incurſion into* Limoſin, *and lays Siege to* Limoges.

In the mean while [2] the Duke of *Berry* made an Incurſion into *Limoſin* with an Army of twelve hundred Lances and three thouſand Foot, commanded by the Duke of *Bourbon*, the Earl of *Alenſon*, and divers other Noblemen, with which having done great miſchief to the Country, they laid Siege to *Limoges*. When the Prince of *Wales*, who was then in the City of *Angoleſme*, had the News brought Him of theſe two great Armies invading his Principality on both ſides, and who (as he heard) deſign'd to come and beſiege Him in that City, He thereupon declar'd, that his Enemies ſhould never find Him ſhut up in a Town or Caſtle, but He would forthwith take the Field, and give them Battel; and then immediately ſent out his Summons to all his loyal Subjects in thoſe parts to come in to his aſſiſtance; and tho He was now by reaſon of his Dropſy unable to ride, and therefore was carried in a Litter, yet He went to *Cognac* on the River of *Charente*, where He muſter'd up an indifferent Army, conſiſting of his Barons and Subjects of thoſe Parts, with which He reſolved to give his Enemies Battel, if they would tarry for his coming. Whilſt He lay there, the Duke of *Lancaſter* with his Forces arrived at *Bourdeaux*, where he ſtaid but one Day and a Night, and then marched towards *Cognac*; for he heard that the Prince his Brother was there, and reſolved to give his Enemies Battel, or elſe to march to *Limoges* and relieve it.

Whereupon Pr. Edward *muſters up an Army, and is join'd by the Duke of* Lancaſter.

The Duke of Anjou *retires to* Cahors.

In the mean while, [3] the Duke of *Anjou* having now conquer'd above forty Cities, Caſtles and Strong-holds, was come within five or ſix Leagues of *Bourdeaux*; and having waſted all the Country about *Bergerac*, He was then inform'd that the Prince of *Wales* was come to *Cognac*, and that beſides a great Army, which He had newly raiſed, the Duke of *Lancaſter* was alſo come to join Him with a conſiderable Reinforcement; whereupon He called a Council of his great Lords and Barons, in which it was unanimouſly agreed, that conſidering the great Strength of the Prince of *Wales*'s Army, and that even his Preſence, altho now He could do nothing in his own Perſon, would give great Courage to his Men; and that the Duke had met with ſufficient Succeſs this Campagne, in taking ſo many ſtrong Places; as alſo that the Lords of *Armagnac* and *Perigort*, with other Barons of *Gaſcoigne* (who made up the better part of the Army) muſt now return home to defend their own Eſtates; upon all theſe conſiderations, it was thought the beſt and wiſeſt courſe for the Duke to diſmiſs his Army for the preſent, which He did accordingly, and ſo went to the City of *Cahors*, where He put his Men into the Towns round thereabout. But as for Sir *Bertrand de Gueſclin*, he went to the City of *Limoges*, before which the Dukes of *Berry* and *Bourbon* lay ſtill with their Army, and ſomewhat ſtraiten'd the Place; ſo that by the Biſhop of that City's Procurement and Mediation, the Citizens were then upon the point of ſurrendering upon good Conditions, and which being agreed on, they ſoon after open'd their Gates to the Duke of *Berry*, and ſwore Allegiance to the *French* King; and ſo

The Caſtle of Limoges *ſurrender'd to the Duke of* Berry.

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[2] Id. c. 283.

[3] Id. c. 286.

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having put a ſtrong Gariſon into the Place, the Duke broke up his Army, and retired into the Province from whence he took his Title, whilſt the reſt of the Nobility went to other Places; only Sir *Bertrand de Gueſclin* remain'd ſtill in *Limoſin* with two hundred Lances, to keep the Caſtles of the Lord *Maleval*, a Baron of thoſe Parts, who had newly revolted to the *French*.

Upon which Pr. Edward *marches to retake it.*

The Prince lays Siege to Limoges.

And takes it by Storm with a great Slaughter.

When [1] Prince *Edward*, who was going to its relief, received the News that his City of *Limoges* was thus betray'd, and given up by the Citizens and their Biſhop, He was very much incens'd, eſpecially againſt the latter, in whom He had put ſuch great Confidence; and therefore vow'd to be reveng'd upon all of them for their Treachery: So marching from *Cognac* with twelve hundred Lances, one thouſand Archers on Horſeback, and four thouſand Foot, and accompany'd by his Brothers the Duke of *Lancaſter* and Earl of *Cambridge*, with divers other Noblemen, beſides the Captains of the *Companions*; with theſe Forces making up a gallant Army, He marched towards *Limoges* (tho not being able to ride on Horſeback, He was carry'd in a [2] Chariot:) But before he ſat down to beſiege it, He ſent certain Heralds to the Biſhop and Inhabitants, commanding them to drive out the *French* Gariſon, and by ſurrendering the Place to return to their former Allegiance; but they truſting in the Strength of it, and their great Stores of Proviſions, and being alſo encourag'd by the *French* Commanders, wholly ſlighted the Summons. Whereupon [3] the Prince ſitting down before the Town, ſolemnly ſwore by *his Father's Soul*, (the greateſt Oath He was ever known to make) that He would never ſtir from before the Place, until He had reduced it again to his Obedience, and reveng'd Himſelf upon thoſe Rebels. And ſo laying cloſe Siege to the City, He remembred that He himſelf had formerly fortified it ſo well, that there was no way to take it by Aſſault, but only by Mining; and tho He heard that Sir *Bertrand de Gueſclin* ravag'd the Country of *Limoſin* with his Forces, and had daily Complaints made to Him of it, yet would He not leave the Siege. But notwithſtanding all the Counter-Mines the Beſieged could make, his Pioneers carry'd on their Works with ſuch Succeſs, that a great Pane of the Wall was juſt ready to fall, when the Prince having notice of it, gave Orders for a ſtrong Brigade of Foot-men and Archers to be as ready to enter the Breach; which being now made by the Fall of the Wall into the Ditch, and thereby filling it up, the Soldiers immediatly giving a Shout, enter'd the Town, and running directly to the Gates, broke them down with their Axes, as they did alſo the Paliſados; for there was no great Reſiſtance made, the thing happen'd ſo unexpectedly. Then the Prince being carried in his Chariot, enter'd the Gates accompany'd with his Brothers and the other Lords and great Officers of the Army, together with a vaſt number of Foot, who were ready not only to plunder the City, but to kill Man, Woman and Child. This ſevere Commiſſion they executed upon all they met in the Streets without any diſtinction, the Prince himſelf taking no notice of their Cruelty, [4] ſo much was He incens'd againſt the Treachery and Obſtinacy of the Townſmen; ſo that within an hour or two's time, till the Prince Himſelf put a ſtop to the Slaughter, above four thouſand Perſons of all ſorts (moſt of whom were innocent) were miſerably kill'd. This I mention as the laſt and cruelleſt

Action

[1] Id. c. 287.

[2] T. W. ad hunc An.

[3] Froiſ. c. 287.

[4] Mezeray.

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Action of this Prince's Life, and of which during his more youthful and healthy State, He never would have been guilty.

[1] Froiſ. c. 289.

The Bp of Limoges impriſon'd.

The Prince having now enter'd the City, diſpatch'd [1] a ſtrong Party of *Engliſh* to the Biſhop's Palace, where they ſound him, who had been the chief Occaſion of all this Miſchief, and the conſequent Slaughter upon it; who being brought before the Prince, tho he beg'd for Mercy, was notwithſtanding his Character, threaten'd to loſe his Head; and being hurried out of his Preſence, was clap'd up a cloſe Priſoner: but as for Sir *John de Villemure*, Sir *Hugh de la Roche*, and *Roger de Beaufort*, (Son to the Earl of that Name) who were the Captains of the Gariſon, together with the moſt valiant of the Soldiers (being about eighty Men at Arms) having no hopes of Mercy, were reſolved to ſell their Lives as dear as they could; and thereupon ſetting their Backs againſt a Wall, defended themſelves with great Gallantry: Whereupon the Duke of *Lancaſter*, and the Earls of *Cambridge* and *Pembroke* with their Men came upon them, and alighting from their Horſes, the Princes encounter'd theſe reſolute *French*-men. The Duke of *Lancaſter* engag'd with Sir *John de Villemure*, and the Earl of *Cambridge* undertook *de la Roche*, whilſt the Earl of *Pembroke* fell upon *Roger de Beaufort*, who all fought with that Courage, which their natural Tempers, as well as Deſpair, then excited, until the Prince happen'd to come by that way, and ſeeing the Engagement, not only put a ſtop to them, but gave theſe three valiant Captains their Lives for the ſake of their Valour; but as for the reſt of the Gariſon, they were all put to the Sword, and the City was made a ſevere Example of the Prince's Revenge, being plunder'd, burnt, and almoſt level'd with the Ground. And as for the Biſhop above-mention'd, he eſcap'd better than he deſerv'd; for the Duke of *Lancaſter* being privately his Friend, yet outwardly expreſſing great Indignation againſt him, obtain'd the Cuſtody of him from the Prince his Brother; and ſoon after he wrote a Letter to the Pope, wherein he repreſented to Him the great danger the Biſhop was in, if He did not ſpeedily interpoſe. Whereupon He wrote preſently to the Duke, deſiring him that he might be pardon'd and ſet free; which Letter being ſhewed to the Prince, He was afraid to diſpleaſe the Pope, and therefore immediately order'd the Biſhop to be ſent to Him to *Avignon*, to which City his Holineſs was lately return'd upon a Buſineſs of great Importance, as you will find anon.

The Prince gives three French Captains their Lives for their Valour.

The Bp of Limoges ſet free at the Pope's Interceſſion.

[2] Id. ib.

The Prince returns to Cognac, and diſmiſſes his Forces.

After the [2] Deſtruction of *Limoges*, the Prince and his Brethren return'd with their Spoil and Priſoners to *Cognac*, where the Princeſs and her Children then were. At which time the Prince gave leave to the greater part of his Forces to repair to their ſeveral Quarters, reſolving to do no more that Campagne: For it was now late in the Year, and his Sickneſs ſtill increas'd upon Him; whereat his Friends and Relations were much diſcourag'd. Indeed this proved the laſt warlike Exploit which that Gallant Prince ever perform'd; for this Winter He went for *England* together with his Princeſs, as you will hear in a little time. But we ſhall now return to the *French* Affairs.

[3] Id. c. 289.

Not long after [3] the Dukes of *Anjou* and *Berry* had finiſhed their Expedition (as you have already heard) Sir *Bertrand de Gueſclin*, who would neither give himſelf nor others any Reſt, with ſome For-

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Sir Bertrand de Gueſclin *invades the Viſcounty of* Limoſin.

He is made Conſtable of France.

ces that were left him invaded the Viſcounty of *Limoſin*, a Country which belong'd to *John* of *Montfort* Duke of *Bretagne*, tho the *Engliſh* had alſo ſeveral Gariſons and Towns in thoſe Parts. There Sir *Bertrand* began to make War in the name of the Widow of *Charles* Count of *Blois*: And his Succeſs was as conſiderable as his Invaſion was ſudden; for the Duke of *Bretagne* was now at Peace with the King of *France*, and did not expect any ſuch Treatment: but it ſeems this implacable Commander remember'd that the Duke was not only Son-in-law to K. *Edward*, but had alſo lately given leave to the Earl of *Cambridge* and his Forces to paſs thro his Country into *Aquitain*. Wherefore Sir *Bertrand*, to begin the War, went before the Town of [1] *St. Hyriel*, which not being commanded by any one Man of note, was ſoon ſurrender'd to him; but he took it in the name of the Dutcheſs of *Bretagne*, and put a ſtrong Gariſon into it. Whilſt Sir *Bertrand* lay in thoſe Parts, and had newly taken a Town called *Brandonne*, came Meſſengers to him from the King of *France* in order to his advancement to a much higher Dignity; for the Conſtable *de Fiennes* being now worn out with Age and the Fatigues of War, reſign'd up his Conſtable's Sword to the King, who thereupon was adviſ'd by his Brother the Duke of *Anjou*, and others of his Council, that there was none ſo fit for that great and eminent Office, as Sir *Bertrand de Gueſclin*: Wherefore the King ſent for him (as hath been already ſaid) and when he came told him what He intended to beſtow upon him. At firſt this Great and Valiant Perſon modeſtly refuſ'd it, excuſing himſelf, by reaſon of his mean Quality in reſpect of the King's Brothers, and ſo many Princes of the Blood and other Great Lords, who would expect to be prefer'd before him, and whom he fear'd (ſhould he accept of it) would be very unwilling to obey one every way ſo much inferior to them; but the King would receive none of his Excuſes, and ſo deliver'd him the Sword, being the Badge of that high Office; in which he acquitted himſelf ſo well, that for his many and great Victories againſt the *Engliſh*, he was at laſt looked upon as the *Reſtorer* of *France*.

[1] Id. c. 290.

He asks leave to go againſt Sir R. Knolles, *but is order'd to act only defenſively.*

Great Diviſions in Sir Robert Knolles's *Army.*

Then, [1] in the beginning of *October*, ſo ſoon as the Conſtable was ſettl'd in his new Dignity, He ask'd the King's leave to make an Expedition againſt Sir *Robert Knolles*, who was now retir'd into the Borders of *Anjou* and *Maine*; but the [2] cautious King, fearing his bold and enterprizing Temper, gave Him but few Troops, that He might act only on the defenſive, and not be tempted to come to a ſet Battel; but the Conſtable had other Views, and ſold his rich Jewels and Furniture which He had gotten in *Spain*, that He might thereby encreaſe his Forces: ſo taking the Lord *Cliſſon* in his Company, he left *Paris*, and came to the City of *Mans*, which he made his Head-Quarters, and there muſter'd up above five hundred Lances. Sir [3] *Robert Knolles* was now in theſe Parts with a good Army, but his Officers were much divided; for the young Lords, *Grandiſon*, *Fitz-Walter*, and others of them, would no longer obey their General, nor follow his Directions, becauſe he now adviſed them, ſince Winter was drawing on, to retire with him into *Bretagne*, where they might quarter more ſafely among their Friends and Allies, ſince ſo many of them could not well ſubſiſt in a Country ſo much haraſ'd by the Enemy, who would ſtill take an occaſion to beat up their Quarters. But the

[1] Id. c. 291.

[2] Mezeray.

[3] Froiſ. ib.

the major part of the younger Officers would not hearken to this wiſe Propoſal, ſaying, *that they were ſtrong enough to deal with the* French, *who durſt not look them in the Face, ſince they had try'd their Courage ſufficiently the laſt Campagne; and therefore they were now reſolv'd to quarter in that Country, and not to burden their Friends.* Theſe Differences being raiſed in the *Engliſh* Army, were fomented and encreaſed by one Sir *John Menſterworth*, * an *Engliſh* Knight, ſtout enough, but falſe, covetous and diſloyal; for having embezel'd great Sums that were deſign'd to pay the Soldiers, he had no other way to eſcape being call'd to an account by the General, than by raiſing a Mutiny againſt him, by whom he had been advanc'd to that Command he had in the Army: And this [3] ungrateful Man did alſo ſet the young Lords againſt Sir *Robert*, by ſlyly inſinuating into them, that it was below them to be commanded by one ſo much beneath them in Quality and Extraction; that now the Campagne was at an end, ſo likewiſe was his Authority; that all of them had experience enough to do what belong'd to them without the direction of an old *Free-booter*. Upon theſe and the like Inſinuations, they divided into different Parties, and into ſeveral Places; Sir *Robert Knolles* and Sir *Alan Boxhul* were at this time not far from *Mans*, tho they deſign'd ſhortly to go into *Bretagne*, and quarter there; but the Lords *Grandiſon*, *Fitz-walter*, and Sir *John Menſterworth*, with a great part of the Officers, were a day's March farther on the Borders of *Anjou* and *Touraine*. When the *Engliſh* General and the Officers that were with him heard of the Approach of the new Mareſchal of *France*, with the Lord *Cliſſon*, into thoſe Parts, they were reſolved not to go into their Winter-Quarters, till they had met with and encounter'd him; and to this end they ſent forthwith to Sir *Hugh Calverly*, who was then in Gariſon at *Saumur*, as alſo to Sir *Robert Bricquet*, with other Captains of the *Companions* in thoſe Parts, to come and join with them at a Place appointed, that they might give the *French*-men Battel. They ſent alſo at the ſame time to the Lords *Grandiſon*, *Fitz-walter*, and the reſt of that Party, to the ſame purpoſe; which Summons, notwithſtanding their late Diviſion, they obey'd. But whether Sir *John Menſterworth* gave the *French* Conſtable any Intelligence of this Deſign (as it is not unlikely by what after happen'd) or that he knew it ſome other way, is uncertain; but about the time appointed, he marched out with four hundred Lances, beſides many other Light Horſe, and planted Himſelf in the way, where He knew the *Engliſh* muſt of neceſſity paſs, at *le Pont Vallain* in the County of *Main*, that very Night the Lords *Grandiſon* and *Fitz-Walter* with about two hundred Lances, and ſix hundred others, left their Quarters, and began to march toward the Place appointed, to join with Sir *Robert Knolles*. But their Journy was ſhortned by the Conſtable *de Gueſclin*, who came upon them early in the Morning at the Place above-mention'd, and gave them a brisk and ſudden Charge, by which and the odds in number on the *French* ſide (being as many again) tho the *Engliſh* behav'd themſelves very gallantly, yet they were at laſt totally routed, and moſt of them, to the number of one hundred and twenty men, were kill'd, and many taken Priſoners, the chief of whom were the two Lords abovemention'd, with divers other Knights and Officers of note, and were all carried away to the City of *Mans*. On the *French* ſide, the old famous Warrior the Lord

D'Endreghan

* Froiſſart *by miſtake calls him* Maiſtreur-ac.

Which are much increas'd by Sir John Menſterworth'*s evil Practices.*

[3] T. W. Ypod. Neuſt. ad hunc An.

Sir R. Knolles *reſolves to encounter the new Conſtable, and ſends to the reſt of the Officers to meet him.*

The Conſtable routs the Lds Grandiſon *and* Fitz-Walter, *and takes 'em Priſoners.*

D'Endreghan died of the Wounds he received in the Battel. The News of the Loſs was preſently carried to Sir *Hugh Calverly* at *Saumur*, and Sir *Robert Bricquet*, and their Followers, who thereupon forbore going to Sir *Robert Knolles*, as they had deſign'd; but the General himſelf, with Sir *Alan Boxhul*, retir'd with their Forces to their former Quarters, and wholly quitted their Deſign of doing any thing againſt the Conſtable; and not long after Sir *Robert* retired into *Bretagne* to his Caſtle of *Derval*, and then diſmiſs'd his Soldiers to go where they pleas'd. Thus ended Sir *Robert Knolles*'s Expedition this Campagne, which as it began with more Terror than Prejudice to the *French*, ſo it ended to their Glory and Advantage. And from the manner of this *Engliſh* Commander's acting in this Expedition, we may draw this Obſervation, that tho the over-running and plundering of a Country by a flying Army, may prove very beneficial to the Officers and common Soldiers, and may ruin the Fortunes of a great many private Perſons that were ſo plunder'd; yet unleſs ſome ſtrong Towns and Caſtles can be taken and maintain'd, it proves no more than a ſlight Incurſion, and the adverſe Prince and Country may ſoon recover thoſe temporary Loſſes. But we ſhall now ſay ſomewhat farther of the *French* Affairs before we end this Year.

Sir Robert Knolles *retires in* Bretagne, *and diſmiſſes his Forces.*

Then the [1] Conſtable *de Gueſclin* returned to *Paris* with moſt of his *Engliſh* Priſoners, and having gain'd a great Reputation, He was received with much reſpect by the King and the whole Court; after which He admitted his Priſoners to eaſy Ranſoms, taking their Faith for the true Payment of it; ſo courteous were the *French* and *Engliſh* Commanders to each other in thoſe times, not acting as the *Germans* were then wont to do, who kept their Priſoners of War in Irons, to the end they might extort the greater Ranſoms from them.

[1] Id. ib.

The Conſtable returns to Paris, *where he is received with great reſpect.*

But to ſay ſomewhat further of the Conſtable *de Gueſclin*; this was not the only Service he did the Crown of *France* this Year: [2] for about this time he alſo procured a Meeting at *Eureux*, between King *Charles* and his Brother-in-law of *Navarre*, who, by means of the *Engliſh*, with whom he had man'd his Towns and Caſtles in *Normandy*, was able to find the *French* ſufficient Employment on that ſide; and therefore He was at this Juncture to be bought off on any Terms: For this Prince, who was as inconſtant as He was malicious, tho He had not long before agreed to a Truce, yet would never make a final Peace with his Brother-in-law of *France*, till He had it now by the Mediation of the Conſtable, upon condition, that his Places in *Normandy* ſhould be all left free to Him, and that upon the Surrender of *Mante* and *Melac* He ſhould alſo have the County and City of *Montpellier* in exchange. Then having engaged himſelf by Oath truly to obſerve the Peace, and renounce the Friendſhip and Alliance of King *Edward* and the Prince his Son; He accompany'd the *French* King from *Rouen* to *Paris*, where leaving his two Sons with their Uncle, as Pledges of his Fidelity, He went from thence to take poſſeſſion of *Montpellier*, after which He return'd into his Kingdom. But it is now time to ſay ſomewhat of *England*.

[2] Mezeray.

He procures a Meeting between the Kings of France *and* Navarre, *where the latter is bought off from the* Engliſh *Intereſt.*

Sir [3] *John Menſterworth* having made a ſhift to eſcape from the abovemention'd Fight, went immediately over to King *Edward*, and accuſed Sir *Robert Knolles* of Treaſon, as being the ſole occaſion of the late Defeat, as alſo that he had taken great Sums of Mony the laſt

[3] T. W.

Sir John Menſterworth *accuſes Sir* R. Knolles *of Treaſon.*

Campagne of certain *French* Governors to ſpare their Towns and the adjacent Country. And tho the great worth of this Commander made his Accuſer to be generally look'd upon as a Lyar, yet (it ſeems) he at firſt found ſo much credit with the King and his Council, that He not only withdrew his Favour, but alſo a Penſion which He had before granted him: and it might have gone farther, had not Sir *Robert* received ſpeedy Intelligence how he had been traduced; [1] whereupon not being able to come himſelf, he ſent over two diſcreet Gentlemen that belong'd to him, to juſtify himſelf, and give the King a true Account of the matter; and theſe by the help of Sir *Alan Boxhul*, his Brother Commander, as alſo of ſome other Knights of good Reputation, who had ſerved in the late Expedition, ſo well repreſented Matters in his favour, that the King and Council ſeeing they had been miſinform'd, wholly acquitted Sir *Robert* as an innocent Perſon, and he was then reſtor'd to the King's Favour, and his Son's the Prince. Then to make Sir *Robert* ſome ſatisfaction, Sir *John Menſterworth* his Accuſer was ſummon'd before the King and Council by a Day prefixed, there to anſwer what ſhould be objected againſt him; [2] but his evil Conſcience not permitting him to come to a fair Trial, he got over into *France*, and revolted to the *French* King, with whom he ingratiated himſelf, by diſcovering whatever he knew might do prejudice to his King and his Native Country; but he received not long after the Reward due to his Treaſon, being afterwards taken Priſoner, and executed as he deſerv'd.

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Sir R. Knolles *ſends over to the King to juſtify himſelf.*

Sir J. Menſterworth *not making good his Accuſation, flies into* France.

I find nothing elſe to have been tranſacted this Year, only that King *Edward*, in hopes of reclaiming ſome of his rebellious Subjects in *Aquitain*, and bringing them back to their former Allegiance, in the beginning of this Winter ſent over his Letters Patents under his great Seal, of free Pardon and Indemnity, with large Promiſes of Reformation of whatever had been done amiſs by the Prince his Son, being to this effect: “That [3] He (the King) being inform'd of certain Troubles, Grievances, and Moleſtations, done, or ſuppos'd to be done by his Dear Son the Prince of *Wales*, in his Seigniory of *Aquitain*; and being obliged and deſirous to remedy all things tending to evil Surmiſes, Hatreds and Contentions between Him and his loyal Friends and Subjects, did of his mere Good-will, and by great Deliberation of his Council, pronounce and certify, and did hereby will and command, that the ſaid Prince of *Wales* ſhould forbear, and remit all manner of Actions done, or to be done, and reſtore to all ſuch as had been grieved, or moleſted by Him, or by any of his Officers and Subjects in *Aquitain*, all their Coſts, Expences or Damages, rais'd or to be rais'd, in the name of Aids and Chimny-Mony, &c. and did further pardon all ſuch as had revolted and forſaken his Homage and Fealty, upon condition, that after the ſight of theſe Letters, within one Month, they would return to their Obedience. And if any Perſons made juſt complaint againſt his dear Son the Prince, or any imploy'd by Him, that in any thing they were griev'd or oppreſs'd, or had been in times paſt, He would cauſe them to have reaſonable amends, for the maintaining of Peace, Love, Concord and Unity between Him and his People of the ſaid Dutchy. And that all men might be ſatisfied of the truth of theſe Letters, He willed they ſhould have Copies of them:

K. Edward *grants a Pardon to all his rebellious Subjects that would return to their Allegiance.*

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[1] Froiſ. c. 279.

[2] T. W.

[3] Froiſ. ib.

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“ And then declared He was ſworn to maintain and make them good, “ by the Body of *Jeſus Chriſt.* Given in the Preſence of his dear “ Son, *John* Duke of *Lancaſter*, the Earls of *Salisbury*, *Warwick*, “ *Hereford*, and many others there named, at *Weſtminſter* the fifth “ day of *November*, in the forty fourth Year of his Reign, and of “ our Lord 1370. But Matters were now gone too far to be ſo eaſily recal'd, and the Revolt was too far ſpread, and of too long a continuance to be reclaim'd by a piece of Parchment; for I do not find that this Charter of Pardon had any effect, or reduced any of thoſe Lords of *Gaſcoigne*, or their Subjects, to their Allegiance, that had revolted near two years before. But not long after the King, by the Reſignation of the Prince his Son, reſum'd thoſe Territories into his own hands.

Which yet had no effect on the Lords of Gaſcoigne.

[1] Buchan. l. 9.
The Death of David *King of* Scots, *ſucceeded by* K. Robert *2d.*

In the beginning of *May* this Year happen'd a great Alteration in *Scotland*, [1] by the Death of *David Bruce*, the laſt Heir Male of that Family, a Prince of greater Courage and Vertue than good Fortune in his Enterpriſes, tho He paſſed the laſt ſix years of his Life in Peace, after his Impriſonment in *England.* He left no Iſſue by either of his Wives; and therefore his Nephew the Lord *Robert Stewart* ſucceeded Him, being the Anceſtor of the Family of the *Stewarts* that have ſince reign'd in *Scotland*, and according to the Settlement of the Parliament of *Scotland* already mention'd. This Prince, as ſoon as He came to the Crown, renewed the Truce which had been formerly made between the two Kingdoms for the ſpace of nine Years; it being left free to the *Scots* during that time to ſerve either the Kings of *England* or *France*, which they ſhould think fit.

[2] Froiſ. c. 291.
Pope Urban *returns to* Avignon, *and there dies; and is ſucceeded by* Gregory XI.

As for Eccleſiaſtical Affairs, whilſt the War was thus hotly carry'd on in *France*, [2] Pope *Urban* V. who had been for about two years and a half at *Rome*, was now return'd to *Avignon* the laſt Autumn, where He uſed all his endeavours to make a Peace between the two Kings; but they remaining deaf to all his Mediations, He not long after deceaſed on the nineteenth of *December*, having enjoy'd the Papacy eight Years and almoſt two Months. He was ſucceeded by *Peter Rogerii*, a Deacon Cardinal of about forty Years of age, who was Son to the Earl of *Beaufort*, by *Joane* Siſter to Pope *Clement* VI. who called himſelf *Gregory* XI.

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[3] Id. c. 292.
Sir Euſtace d' Ambreticourt *is betray'd and taken Priſoner.*

This Year begins with the like Continuance of ill Fortune as the former: for that valiant Leader, [3] Sir *Euſtace D'Ambreticourt*, going to paſs the *Chriſtmas* Holidays with a Baron of *Gaſcoigne*, called the Lord *Buſſiere*, whom he looked upon as his Friend, and intirely in the *Engliſh* Intereſt, found himſelf much miſtaken; for his treacherous Entertainer admitted Sir *Tibauld du Pont*, a Knight of *Bretagne*, and an Enemy to *England*, into his Caſtle with ſome Soldiers, whom he ſuffer'd to ſeize upon Sir *Euſtace*, while he ſuſpected no harm, and to carry him away Priſoner; and he was like to have been put to death, as being one of the Captains of the *Companions*, had it not been for the Interceſſion of the Duke of *Bourbon*, who for the kindneſs he had formerly done in procuring his Mother to be exchanged, got him ranſom'd for twelve thouſand *Franks*, whereof Sir *Euſtace* paid four thouſand down, and left his eldeſt Son as a Hoſtage for the reſt. Sir *Euſtace* being thus at liberty, went to *Charenton* in *Lower Normandy*, where he ſhortly after died, having been in his days a

He is ranſom'd, and dies.

moſt

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moſt Valiant Knight and Prudent Commander. And this was the Third Man of Note, whom King *Edward* loſt in leſs than a Year's time.

In [1] the beginning of *January*, *Edward* Eldeſt Son to the Black Prince deceaſed at *Bourdeaux*, to the great Affliction of his Father and the Princeſs his Mother, who had no more Children left them, but *Richard* an Infant, of whom I have already ſpoken. And now Prince *Edward*, being very much indiſpos'd as well by Sickneſs as diſcontent of Mind, was adviſed by his Phyſicians and Chirurgeons to return into *England*, to try if his Native Air might reſtore Him to his Health, which was in a very ill State and Condition; which Advice being approved of by the Prince, He appointed the Earls of *Cambridge* and *Pembroke* with their Retinues, to be his Convoy: and while the Fleet was rigging out in the Haven of *Bourdeaux* on the *Garonne*, He ſent forth his Summons to all the Loyal Knights and Barons of *Gaſcoigne* and *Poictou* and other Parts of his Dominions, to come unto Him by ſuch a Day to that City. And being met in his Chamber, He made them a ſhort Speech, wherein He ſet forth "That He "had for the ſpace of almoſt Ten Years govern'd them as a Gracious "Prince, and had done his Endeavours to maintain them in Peace, "Plenty and Proſperity; until the Enemy of Mankind had found "out new occaſions of War and Diſſenſions, tho He had done "what He could to defend them againſt their Neighbouring Ene"mies. But ſince now for the Recovery of his Health, which He "very much wanted, He had deſign'd to return into *England*; He "would leave behind Him his Dear Brother the Duke of *Lancaſter*, "to ſupply his Place, whom He deſired them to Honour and Obey "as they had done Himſelf, and to aſſiſt Him in all his Undertakings. Then the Lords and Barons of *Gaſcoigne* promiſed to obſerve what the Prince had enjoyn'd them; and thereupon in his Preſence ſwore Fealty to the Duke of *Lancaſter*, as his Lieutenant. Not long after this, the Prince leaving *Bourdeaux*, went on Board in the beginning of *January*, and landed ſafe at *Southampton*; from whence He with his Princeſs went to *Windſor*, where He was joyfully received by the King his Father: then after ſome ſtay there, the Prince with his Family retired to the Caſtle of *Berkhamſtead*, for the goodneſs of the Air, where we ſhall leave Him for a time, and look back into *France*.

[1] Id. c. 293.

The Death of Edward Eldeſt *Son to the Black Prince, who being Himſelf indiſpoſed, reſolves to go for* England *to recover his Health.*

He ſummons the Barons of Gaſcoigne *and* Poictou, *and makes them a FarewelSpeech, and recommends the D. of* Lancaſter *for his Lieutenant.*

The Pr. lands in England, *and goes to* Windſor *to the King his Father.*

Not [2] long after the Prince's Departure, the Lords *de Houſſaye* and *de Mailly*, with divers other *French* Noblemen, marched forth of *Perigeux* with two hundred Lances, *French* and *Bretons*, and rode to a ſtrong Caſtle called *Montpaon*, belonging to a Knight of that Name, but under the Dominion of the Prince of *Wales*, which was treacherouſly ſurrender'd to them by the Owner of the ſame Name, who was ſecretly in the *French* Intereſt. But ſo ſoon as the Duke of *Lancaſter* had heard that the *French* had ſeiſed a Place of ſo great Strength and Importance, he was very much incenſed at it, and raiſing a conſiderable Army of Five hundred Lances, and Seven hundred Archers on Horſeback, beſides Foot, [3] he marched to recover the ſaid Place, and having laid cloſe Siege to it for ſome time, he found it ſo well fortified and ſtoutly defended, that it was not eaſy to be taken, unleſs it were by Famine or undermining of the Walls; which laſt proving the readier way, was preſently undertaken, and that with ſo good

[2] Id. ibid.

The ſtrong Caſtle of Montpaon *is betray'd to the* French.

[3] Id. c. 294.

But retaken by the D. of Lancaſter.

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Succeſs, that a great piece of the Wall falling down, the *French* that were within it, were forced to ſurrender and become Priſoners of War. But it had far'd much worſe with Sir *William Montpaon*, who betray'd it, had he not eſcaped out of it before it was taken *. Then the Duke having repair'd and new fortify'd the Caſtle, and ſupplied the Place with Proviſions and a ſtrong Gariſon, diſmiſſed his Forces, and returned back to *Bourdeaux*.

* Id. n. 295. *The Duke returns to* Bourdeaux.

[1] Id. ib.

But notwithſtanding this Succeſs, [1] the *Engliſh* Power in *Gaſcoigne* and *Poictou* daily declined; for the Barons and Gentlemen of thoſe Parts and their Dependants were ſtill expos'd to the Incurſion and Depredations of the *French* Gariſons upon the Frontiers, and particularly in *Poictou*, where the War was carried on more hotly than in any Place elſe; for thoſe from the Fortreſs of *Moncontour* plundered and ravaged the Country round about, killing and deſtroying thoſe that held out for the *Engliſh*. The like was done by the Gariſons of *La Roche de Pozay* and *St. Salvin*, each of which tyrannized as much as they could about their Precincts; ſo that the Loyal Barons of *Poictou* who held out ſtill for *England* durſt hardly ſtir abroad unleſs in conſiderable Bodies, for fear of the *French* who lay quartered about in the Country; inſomuch that they were forced to keep a Frontier War againſt their Enemies.

The Barons of Poictou *are much ſtraitned by the* French *Gariſons.*

[2] Id. c. 295. *King* Charles *ſends ſome* French *Gentlemen into thoſe Parts, who buy off many Noblemen from their Allegiance to* K. Edward.

About this time King [2] *Charles*, to do all He could to reduce *Poictou* to his Obedience, ſent into thoſe Parts the Viſcount of *Rochchoart*, and divers other *French* Gentlemen of that Country, who by cunning perſuaſions, as well as by Bribes and Rewards (which the *French* King had furniſhed them with for that purpoſe) bought off ſeveral Barons and Noblemen of thoſe Parts from the *Engliſh* Allegiance; ſo that many of the Great Lords, whom either the Reputation, Fortune or Liberality of the Black Prince had made to follow Him, fell now away to the *French* King after his Departure; and particularly the Lord *du Pont* of *Poictou* revolted, whilſt his own Lady with the Townſmen continued firm to King *Edward*: ſo that by this means the Barons and Gentlemen of *Poictou* were in a very diſtracted condition, being engaged in a terrible Civil War; and the *French* and *Engliſh* Gariſons being ſtrangely intermix'd, the Weaker ſtill became a prey to the Stronger; and [3] there ſcarce paſſed a Day without ſome mutual Loſſes and Repriſals, inſomuch that all things being in a Confuſion, neither Law nor Reaſon, but meer Force and Violence prevail'd in thoſe Parts.

Great Confuſions from the Gariſons in Poictou.

[3] Id. c. 296.

[4] Ib. ib.

But to remove ſome of theſe Miſchiefs, [4] the Loyal Barons and Gentlemen of *Poictou*, finding the Caſtle of *Moncontour* in the Borders of *Anjou* above-mention'd, to do them more prejudice than any other Gariſon, they deſired leave to beſiege it; whereupon the L. *Thomas Piercy* Seneſchal of *Poictou*, being then at *Poictiers*, muſter'd up a ſmall Army of about Five hundred Lances and two thouſand Foot, beſides Archers, commanded by Himſelf, the Lord *de Harcourt* and other Noblemen of thoſe Parts, marched from thence, and laid cloſe Siege to the ſaid Caſtle. But tho it was very ſtrong and provided with a good Gariſon, yet the *Engliſh* ſo batter'd it Night and Day with their Engines, that after ten Days it was taken by Storm, and all the Beſieged put to the Sword, except the Chief Commanders, and five or ſix Men at Arms. Upon which Succeſs the Lord *Thomas Piercy* committed the Cuſtody of the Caſtle to Sir *Walter Hewet*, and ſome other

The L. Piercy *takes the Caſtle of* Moncontour, *and puts it into the cuſtody of Sir* W. Hewet *one of the Capt. of the* Companions.

Captains

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Captains of the *Companions*, amounting to above Five hundred Men, who not only undertook to keep the Place, but to maintain a Defenſive Frontier War againſt the *French* of *Anjou* and *Tourain*. And this they did a good while after, to the no ſmall prejudice of their neighbouring Enemies; but upon this Succeſs the Lord *Piercy* diſcharged his Troops for the preſent, and ſent them to their ſeveral Quarters.

About the ſame time [1] Sir *John Devereux* was juſt return'd into *Limoſin*, whereof he was Seneſchal, having lately paſſed in a Hoſtile manner thro *Auvergne* and *Givaudan*, till he came into *Vivarais*, where he took the City and Caſtle of *Uzes*; ſo that the *Engliſh* in the beginning of this Year, not only behaved themſelves with much Bravery, but met with conſiderable Succeſs: which News being brought to the Conſtable *de Gueſclin*, he reſolved to put a ſpeedy ſtop to their Carrier; and to this end leaving *Paris* about *Candlemas*, with a conſiderable Army, Commanded by the Dukes of *Berry* and *Bourbon*, and ſome other Principal Noblemen of *France*, they marched into the Province of *Vivarais*, and beſieged the City of *Uzes*, which being vigorouſly defended by the *Engliſh*, the *French* General thought fit after lying before it Fifteen Days, to raiſe the Siege, and go towards *Rovergue*, where he found better Suceſs, taking many Places of Importance; and among the reſt lay'd Siege to the ſtrong Town of *Milland*, which had been kept by Sir *Thomas Wake* above a Year and an half; but now upon the Conſtable's ſitting down before it, Sir *Thomas*, either ſeeing no hopes of Relief, or for ſome other Reaſons, capitulated to deliver up the Town, upon Condition that he might depart with Bag and Baggage, and Colours flyings. And his Example was ſoon after followed by many other Fortreſſes on the Frontiers. Then the Conſtable, after ſome time ſpent to refreſh his Men, return'd back, and again lay'd Siege to *Uzes*, where the Gariſon being terrified by the Engines of Battery which the Conſtable had order'd to be brought before it, thought fit to capitulate, upon the ſame Terms as Sir *Thomas Wake* had already done, and ſurrend'ring the Place marched out with their Baggage into the County of *Limoſin*, where they were not at all blamed for what they had done. The like good Succeſs the Conſtable met with where ever he went during this whole Expedition, in which he gain'd a great many Towns and Caſtles from the *Engliſh*.

[1] Id. c. 297.

Sir John Devereux *takes the Town and Caſtle of* Uzes.

The Conſtable de Gueſclin *puts a ſtop to the* Engliſh *Succeſs by taking* Rovergue, *&c.*

And then retakes the Town of Uzes, *&c.*

King *Edward*, being now alarum'd at the great Progreſs the *French* Army had made in *Aquitain*, * on the Eighth of *January* iſſued out Summons for a Parliament to meet on Monday the Firſt Week of *Lent*, being the Feaſt of Sr. *Matthias*, or Four and twentieth of *February*; † on which Day the King, Prelates, Great Men and Commons aſſembled in the Painted Chamber, and *William of Wickham* Biſhop of *Wincheſter*, then Chancellor, declared the Cauſe of Summons to be, That ſince by their Aſſent at the laſt Parliament, the King did retake upon Him the Title of King of *France*, becauſe his Adverſary had broke the Peace, and claimed the ſame *Reſſort* or *Superiority* over *Aquitain*, which had formerly belonged to his Father; for which and ſeveral other Cauſes He had been at great Expences, and ſent ſome Great Men and Others to a mighty Number, to Recover and Conquer his Right; and that the King had received News from his Friends and Allies, that his Adverſary had made Himſelf

* Rot. Clauſ. 44 Ed. 3. m. 11. Dorſ.

Whereupon the K. ſummons a Parliament.

† Rot. Parl. 45 E. 3. n. 1.

The Cauſes of it declared by the Bp of Wincheſter.

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ſtronger than He had done before, and ordered ſo great a number of People to be brought together, as in all probability were able this Year to put Him out of Poſſeſſion of all his Lands and Countries beyond the Sea, as well in *Gaſcoigne* as at *Calais*, *Guiſnes*, *Ponthieu*, and other Places; and further that He had ſuch a Fleet ready, as ſeemed ſufficient to deſtroy the whole *Engliſh Navy*, and alſo that He prepared to ſend over a great Army into this Land to deſtroy, conquer and ſubject it to his Power; wherefore the King earneſtly deſired the Great Men and Commons to adviſe about theſe Points, and Counſel Him how the Kingdom might be ſafely guarded, the Navy preſerved from the Malice of his Enemies, how his Lands beyond Sea ſhould be kept, the War there maintain'd, and the Reduction carried on.

The great danger from the King's Adverſary of France.

* Ib. n. 6.

Whereupon the Lords and Commons grant the King an Aid of 50000 *l.*

* Theſe Matters being thus laid before them, many ways for an Aid were propounded and debated between the Great Men and Commons; at laſt in Conſideration of the great Coſts and Charges the King was to be at for the Reaſons abovesaid, Both Houſes conſented on the Eight and twentieth day of *March*, to grant a Subſidy of Fifty thouſand Pounds, to be levied of every Pariſh at Two and twenty Shillings and three Pence, thoſe of greater Value to contribute ratably to thoſe of leſs Value. And beſides this, the Clergy alſo granted the King a ſeparate Aid of Fifty thouſand pound more towards his War in *France* for one Year; for the raiſing of which Sum (being very extraordinary) the Chantry Prieſts were taxed according to their Annual Receits, as likewiſe all other ſmall Benefices, which had not been taxed before; and ſo the Parliament broke up.

† Ib. n. 7.

Note, that the Tranſactions of this Council are entred on the ſame Roll with the precedent Parliament.

This Tax, in a great Council at Wincheſter, *is increaſed to near* 6 *l. upon each Pariſh.*

|| Ib. n. 10, 11.

But at a † Great Council holden at *Wincheſter* Eight days after *Trinity* Sunday, the Chancellor ſhewed the Great Men and Commons there aſſembled, That the number of Pariſhes in *England* would not anſwer the ſaid Sum of Fifty thouſand Pounds, as might appear by the Certificates of all the Archbiſhops, Biſhops and Sheriffs, made and returned into *Chancery* by the King's Warrant; which Certificates being examined, and many Treaties and Conferences had upon the Matter, || at laſt to compleat the Sum of Fifty thouſand Pounds the ſaid Great Men and Commons granted out of every Pariſh within the Kingdom of *England*, the Sum of one hundred and ſixteen Shillings, the former Sum of 22 *s.* and 3 *d.* firſt granted, being compriſed therein, except the County of *Cheſter*, and the Church Lands, which were taxed to the Tenth, ſo as always the Pariſhes of greater Value ſhould be contributary to thoſe of leſs Value.

[1] Ib. n. 15.

The [1] Commiſſion of this Grant was read before the King, Great Men and Commons, and the Names of the Collectors given in by the Knights of Shires, and alſo the Names of the Lords and Others that were aſſigned to ſee the Tax duly and reaſonably aſſeſſed and levied; and the Petitions of the Commons, that were not anſwered in the preceeding Parliament, were anſwered in this Council; amongſt which this following is very obſervable.

The Commons petition that only Laymen might be made great Officers of the Kingdom.

“ For that it had been declar'd to the King in the late Parliament
“ by all the Earls, Barons and Commons of *England*, That the Go-
“ vernment of the Kingdom had for a long time been managed by
“ Men of the Church, whereby many Miſchiefs and Damages had
“ hap-

“ happened in time heretofore, to the Diſheriſon of the Crown, and
“ to the great prejudice of the Kingdom: That it would therefore
“ pleaſe the King, that Laymen, of ſufficient Abilities, and No
“ Others, might for the future be made Chancellor, Treaſurer, Clerk
“ of the Privy-Seal, Baron of the Exchequer, Controller, or other
“ Great Officers, and Governours of the Kingdom; and that this
“ Matter might be ſo eſtabliſhed, that it ſhould never be defeated, or
“ any thing done to the contrary in time to come, **Saving** to the King
“ the Removal and Choice of ſuch Officers, yet ſo as they ſhould be
“ Laymen.

The King's Anſwer was, He would do in this Point what ſeemed beſt to Him by Advice of his Council.

*Rot. Clauſ. 45 Ed. 3. m. 29. dorſ.

The Members of this Great Council.

The * Members of this Great Council were Four Biſhops, Four Abbots, Six Earls, Six Barons, and ſuch and ſo many of the Commons as the King named in his Writs to the Sheriffs, who were of the laſt Parliament: for *Kent* there were only *Thomas Apuldrefeld*, one of the Knights of the Shire; *Edmund Horner*, one of the Citizens of *Canterbury*, and *John Tynchynfeld*, one of the Citizens of *Rocheſter*.

The Difference between a Great Council and a Parliament.

This is a plain Proof of the Difference between a Council and a Parliament; the Former conſiſting of ſuch Biſhops, Peers and Commoners as the King pleas'd to call to it; and the Other of all the Biſhops, Earls, Barons of *England*, together with the Knights, Citizens, and Burgeſſes elected by their ſeveral Cities, Counties, *&c.* But how ſuch a Council could take upon 'em to alter or add to a *Tax* that had been already given by the whole Parliament, I do not well underſtand.

[2] T. W. Odor. Raynold. ad hunc An.

The Pope ſends two Cardinals to mediate a Peace with France, *without any Succeſs:*

[1] During the Seſſion of this Great Council, there came two Legates from the New Pope *Gregory*, the One of them was *Simon Langham*, late Archbiſhop of *Canterbury* and Chancellor of *England*, and the Other *John*, who had formerly been Biſhop of *Beauvais*, and enjoy'd the like Office under the King of *France*; who were ſent from his Holineſs with Letters bearing Date the beginning of *March*, to mediate a Peace between the Two Kings, tho without any Succeſs; for *England* had loſt and *France* had gain'd too much, ever to be recover'd by any other way than by the Sword.

[2] Froiſ. c. 298.

The King ſends the Earl of Hereford *and others to treat with the Duke of* Bretagne.

The Engliſh *Fleet fights and routs that of* Flanders.

This [2] Summer King *Edward* ſent *Humphry Bohun* Earl of *Hereford* and *Eſſex* with ſome Knights, his Ambaſſadors, to treat and confer with *John* Duke of *Bretagne* his Son-in-Law, about ſome Important Matters; but becauſe it was a time of War, and the Seas infeſted with the Fleets of *France* and *Spain*, the King thought it fit to ſet out a ſtrong Fleet under the Command of the Lord *Bryan*; and there went alſo the Lord *Thomas* of *Woodſtock* the King's Youngeſt Son, with a choice number of Archers for their Defence. In their paſſage thither they met the *Flemiſh* Fleet on the Coaſt of *Bretagne*, near the Port called *La Baye*, in their return from *Rochel*, laden with Wine and Salt; but whether it was that the *Flemings* would not ſtrike Sail, or that there was ſome former Quarrel, I will not determine; only my Author relates, that the *Flemings* began the Fight, and tho they were ſuperior in number and very well provided, yet after a briſk Engagement, the Victory fell to the *Engliſh*; *John Peterſon* the *Flemiſh* Admiral being taken Priſoner, together with all that were left alive, the reſt being either

The Earl of Heieford *lands in* Bretagne.

either drown'd or ſlain; for the *Engliſh* were more than uſual by ſevere, when they had the full Maſtery of 'em, becauſe they had been ſo bold as to begin the War. After this the Earl of *Hereford* landed at *La Baye*, from whence he went to *Breſt*, where he found the Duke of *Bretagne*; but the *Engliſh* Admiral return'd with the Fleet into *England*, where he was well received by King *Edward*, who being now reſolved to be farther revenged on the *Flemings*, again ſent forth his Fleet with Orders to block up the Forts of *Flanders*, and to make a brisk War upon their Merchants; which the Citizens of *Gaunt*, *Bruges* and *Ipres*, finding the great prejudice they were like to receive by making War with *England*, they immediatly apply'd themſelves to their Earl, and procured Him to ſend Envoys to King *Edward* to renew the Peace between the two Nations; in which they met with ſo good Succeſs, that within a ſhort time they return'd with a Confirmation thereof, it not being found convenient for either of them to continue it any longer.

The Merchants of Flanders *being prejudiced by a War with* England, *procur'd their Earl to make a Peace.*

[1] Id. c. 295.

The D. *of* Lancaſter *makes a new Match for Himſelf, and on what Conſiderations.*

In the mean time the [1] Duke of *Lancaſter* remain'd in the City of *Bourdeaux*, where He kept a Court little inferior to that of the Prince his Brother, being attended with a great Retinue of Knights both of *England* and *Aquitain*: but whilſt He lay here this Winter without Employment, being now a Widower, He made a new Match, which tho it gave Him a higher Title, and proved of ſome Advantage to Himſelf and Family, yet produced a long War between the Kings of *England* and *Caſtile*, to the great prejudice of both Nations; the ground of it was thus: You may remember that *Pedro* King of *Caſtile*, when He came to implore the Aſſiſtance of Prince *Edward*, brought two Young Daughters along with Him, who were left there as Pledges for their Father's Performance of the Conditions, that had been agreed on betwixt Him and the Prince; which their Father taking no care to perform, and being kill'd not long after, the young Ladys were left upon Prince *Edward*'s hands.

The D. *marries* Conſtantia *Eldeſt Daughter to* Peter *King of* Caſtile, *and the Earl of* Catubridge *the Tounger.*

Theſe being now grown up to Women's Eſtate, the Elder of them call'd *Conſtantia*, who was looked upon as the true Heireſs to the Crown of *Caſtile*, being propoſed to the Duke, he was adviſed by Sir *Guiſcard D'angle* to marry her, thereby to obtain a Right to that Kiugdom for himſelf and the Children eh ſhould have by her; beſides the Honour he ſhould obtain, in thus aſſerting the Right of an Orphan and diſtreſſed Princeſs. This was very well received by the Duke, who was Young and Ambitious; and forthwith ſent for both the Ladies to his Court; but Himſelf and the Earl his Brother going out to meet them as far as a Town called *Rochefort*, they liked them ſo well, and made ſuch cloſe Love to them, that their Suits were eaſily granted by them both, tho they did not expect ſo good Fortune; and there the Duke of *Lancaſter* privatly married the Lady *Conſtantia*, as the Earl of *Cambridge* did *Iſabella* her younger Siſter; who tho they had nothing at all, but bare Hopes for their Portions, yet had their Weddings kept with great Magnificence.

[2] Id. ibid.

But theſe Matches produced very ill effects; for ſo ſoon as [2] King *Henry* of *Caſtile* received the News of his Nieces being thus diſpos'd of, He ſaw there was no way for Him to keep the Crown on his Head, but by entring into a ſtricter Confederacy with *France*; and to this end He ſent Ambaſſadors on purpoſe to enter into a League Offenſive and

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and Defenſive with that Crown, which was accepted by King *Charles*, the Conſtable *de Gueſclin* doing all he could to further and expedite it; which being concluded, the King of *Caſtile* omitted nothing whereby He might ſtrengthen himſelf by Sea and Land, and to that end got ready a powerful Fleet, of which you will find more hereafter.

And ſets out a powerful Fleet.

But to return to our own Affairs, [1] the Duke of *Lancaſter* and his Brother the Earl of *Cambridge* having ſtaid here for ſome time with their new-married Ladys, reſolved now to paſs over into *England*, not only to give the King their Father a particular Account of the Affairs of *Aquitain*, but alſo to be preſent at a great Council that was not long after to be held, about carrying on the War in thoſe Parts. But before his departure, the Duke ſummon'd the Barons of *Guienne* to meet him at *Bourdeaux*, where he declar'd to them the reaſons of his intended Voyage to *England*, and that he hop'd by his Father's leave to come back to them again the next Spring, time enough to take the Field; which Speech was very well received by all there preſent. Then he appointed the Lord *John de Greille*, Captal of *Buche*, (a powerful Lord of that Country) his Deputy in *Guienne*, who was to be aſſiſted by the Lords of *Mucidan* and *L'eſparre*; and having alſo made other Noblemen Governors of the reſt of the Provinces that were left to the *Engliſh*, he went on Shipboard with his new Dutcheſs and her Siſter the Counteſs of *Cambridge*, who was pleas'd to go along with them: They had a ſafe and pleaſant Voyage, and arrived at *Southampton*, from whence they went to *Windſor*, where they met with a kind Welcome from the King, who ſeem'd mightily pleas'd at his marrying of the *Spaniſh* Princeſs.

[1] Id. c. 296.
The D. of Lancaſter *ſummons the Barons of* Guienne *to* Bourdeaux.

He appoints the Captal de Buche *his Deputy, and returns into* England.

I find nothing elſe to have happen'd worth noting this Year, but that [2] Pope *Gregory* being alarm'd at the wonderful Succeſs of the *Turks* over the *Chriſtians* in the *Eaſt*, had lately ſent his Cardinal Legates above-mention'd to mediate a Peace between the two Crowns, and alſo wrote a Letter to the Captal *de Buche* abovemention'd, intreating him to uſe his Mediation with the King and his Sons the Duke of *Lancaſter* and Earl of *Cambridge*, that they would make a ſpeedy Peace with the *French* King, that ſo they might be able to ſend ſome Succours to the Eaſtern Parts againſt the Infidels. This Letter bears date about the end of *July*, which I take notice of, that ſo you may obſerve the great reſpect that was paid to this Nobleman by the Pope, he being alſo one of King *Edward's* firſt Knights of the Garter.

[2] O. Raynold. ad hunc An.
Pope Gregory *writes to the* Captal de Buche *to uſe his Mediation for a Peace.*

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This, being one of the moſt inauſpicious Years of this King's Reign, [3] began with the Deaths of two famous Peers of this Realm; for on the fifteenth of *January* died the valiant Lord *Walter Manny*, Knight of the Garter, leaving behind him only one Daughter, *Anne*, who had been lately married to the Earl of *Pembroke* (his firſt Wife, Daughter to the King, being deceas'd.) His Body was buried with great Solemnity in the Church of the *Carthuſians* (now the *Charter Houſe*) near *Smithfield*, which he himſelf had founded, the King and all his Sons, with the Companions of the Order, being preſent at his Funeral. And on the day following [4] deceas'd *Humphry Bohun* Earl of *Hereford*, *Eſſex* and *Northampton*, Conſtable of *England*, the tenth of that Name, and laſt Male of that Noble Family. He left behind him only two Daughters, *Eleanor* the eldeſt, who was afterwards

married

[3] Froiſ. c. 301. Dug. Baron. 2 vol. p. 150.
The Deceaſe of the Ld Manny.

[4] Ib. vol. 1. p. 186.
As alſo of the Earl of Hereford.

married to *Thomas* of *Woodſtock*, the King's third Son; and *Mary* the younger, to *Henry* of *Bullenbrook* eldeſt Son to *Henry* of *Lancaſter*, who was King of *England* by the Name of *Henry* the Fourth. Both theſe Noblemen were extremely lamented by the King, the former for his great Loyalty and Courage, as the latter was for the ſame Qualitys, tho not in ſo eminent a degree. Not long after this, upon the Pope's earneſt Requeſt, both by Letters and Meſſages, the King agreed to begin a Treaty of Peace with the King of *France*; to which end * He iſſued forth a Commiſſion to *Simon Sudbury* Biſhop of *London*, and to the Lords *Brian* and *Beauchamp*, Sir *Arnold Savage*, together with ſome Doctors of Law; and the next day the King granted his Letters of Safe-Conduct for the Ambaſſadors of *France*, to come and treat with them about this Affair. But becauſe this Treaty came to nothing, we ſhall now proceed immediatly to the War.

* Rot. Franc. 46 E.3. m.47.

† Froiſ. c.302.

K. Edward makes great Preparations againſt France, *which prove unfortunate.*

This † Winter there were held in *England* many great Conſultations by the King and his Council, how to carry on the War the Summer following; for He deſign'd to ſend over two powerful Armies, the one to act about the Parts of *Aquitain*, and the other from *Calais* to march thro *Picardy* into *France*: and all the while He neglected not to ſtrengthen Himſelf with Friends on every ſide, eſpecially in *Germany* and the Countrys adjacent, where He gain'd over by his great Preſents, as well as large Promiſes, divers Knights and Gentlemen of note to his Service. Beſides all this, He made ſuch mighty Preparations in *England*, as the like had ſcarce been ſeen before; but God thought it fit to render all theſe his Deſigns abortive, and from henceforth to order the Courſe of Victory and Succeſs to run as much on the *French* ſide, as it had done on the *Engliſh* before: and it is from this Year we may date thoſe great Misfortunes in all his Military Affairs, tho He was ſerv'd by two gallant Princes his Sons, beſides many other able and experienc'd Commanders. But to return to the Hiſtory.

' Id. ibid.

K. Charles *uſes his utmoſt Endeavours to prevent K.* Edward's *Deſigns.*

' King *Charles* of *France* being well inform'd of all King *Edward's* Deſigns, thereupon provided in all Places accordingly; and firſt He ſtrongly fortified all his Towns and Caſtles in *Picardy*, and the Marches towards *Flanders*, ſupplying all his Gariſons with good Captains and Soldiers, as well as other Neceſſaries: Nor did He forget his Concerns in *Guienne*; for beſides the Armies on that ſide in Gariſon, which were well enough able to reſiſt the *Engliſh*, He ſent alſo to his Confederate the King of *Spain*, deſiring Him effectually to aſſiſt him with a ſtrong Fleet the next Summer on thoſe Coaſts.

' Id. ib.

In the mean while ' King *Edward* this Spring, as ſoon as He had ſolemniz'd the Feaſt of St. *George* at *Windſor* (as it was his conſtant Cuſtom) and had created Sir *Guiſcard D'Angle* Knight of the Garter, in the room of Sir *Walter Manny* deceas'd, return'd to *London*, and held a great Council of his Nobility about the foreign Affairs, wherein He ordain'd the Duke of *Lancaſter* his General to invade *France* with a great Army by the ſide of *Picardy*, the Earl of *Cambridge* being to accompany him. Then at the inſtant Requeſt of the Lord *D'Angle*, and all the *Poictovin* Lords, whom he and his Fellows repreſented, He order'd the Earl of *Pembroke* to go as his Lieutenant into *Aquitain*, and preſerve *Poictou* and to make a brisk and vigorous War againſt the *Fr.* on that ſide: For the *Gaſcoigners* and *Poictovins* had earneſtly deſired

The King appoints the Earl of Pembroke *his Lieutenant in* Aquitain.

of the King, both by their Letters and by the Ld *D'Angle*, that if He could not ſpare ſome one of the Princes his Sons, yet at leaſt He would pleaſe to ſend the Earl of *Pembroke* his Son-in-law, unto them, whom next to thoſe, they lov'd and honour'd moſt, as having had good Experience of his extraordinary Courage and Conduct. Whereupon King *Edward*, in the preſence of all his Earls and Barons that were aſſiſting at that Council, appointed the ſaid Earl his Lieutenant and chief Commander over all his Forces in *Aquitain*, which was cheerfully accepted of by that young Nobleman; and indeed he was a Perſon endu'd with a great many brave and ſhining Qualities.

All [1] things being thus ſettl'd, and a ſufficient Fleet provided (as was then ſuppos'd) to tranſport thoſe few Forces the Earl took along with him into *France* (for he was to raiſe more men there) he went on board, attended by the Lords *Grandiſon* and *D'Angle*, beſides ſeveral other Knights both of *England* and *Poictou*, and ſet ſail for *Rochel*; but when they came before the Iſle of *Rhee*, and thought to have landed there, he found a ſtrong Fleet conſiſting of forty Men of War, and thirteen ſmaller Barks, under four experienc'd Admirals, ready to fall upon him: for the *French* King having Intelligence of the great Preparations that were making in *England*, had been as diligent to prevent them, and uſed all his Intereſt with the King of *Caſtile* to ſend this Fleet to ſurprize the *Engliſh*, and hinder their Landing. Nor had theſe latter any notice of it, tho the *Spaniards* had lain there a good while waiting for their coming. But whether it happen'd thro Careleſneſs here in not having Cruiſers abroad, or that the *Rochellers* being falſe to the *Engliſh* Intereſt, fail'd to give King *Edward* any Intelligence of it, I will not determine.

[1] Id. c. 297.

The E. of Pembroke *meets the* Spaniſh *Fleet before* Rochel.

But to come to the matter, the *Spaniſh* Fleet, upon the approach of the *Engliſh*, preſently ſail'd out to meet them; for beſides the Enemies being much ſuperior in the Number of their Ships, they were alſo better provided with Ammunition, their Veſſels being furniſhed with great Cannon (which now became of more uſe than ever before) moreover, their Ships were much ſtronger and higher built than thoſe of the *Engliſh*; but for all theſe diſadvantages, the Earl of *Pembroke*, and the Noblemen, Knights and Officers under his Command behav'd themſelves with ſo noble a Courage, that they maintain'd the Fight for almoſt a whole Day, without any conſiderable Loſs more than of two Barks laden with Proviſions; [2] and the Night coming on, both Fleets caſt Anchor until the Morning, and then the Fight was again renewed with keener fury than before, in which tho the *Engliſh* ſhewed the ſame Bravery and Courage as they had done the Day preceding, yet they were at laſt overcome by the greater number of the Enemy (for the Townſmen of *Rochel* could not be prevail'd upon by all the means Sir *John Harpedon* their Governor could uſe to go on board and aſſiſt the *Engliſh* Fleet) and beſides this, the *Spaniſh* Ships (as I ſaid juſt above) being higher built, and having got the windward of the *Engliſh*, ſo plaid upon them with their Cannon, and ſo attacked them, by caſting down Iron-Bars, Lead, Stones, and other things on their Heads, that about three of the Clock in the Afternoom they were all either ſunk, or elſe boarded and taken by the *Spaniards*; and in particular the Earl of *Pembroke*'s Ship, being grappl'd with no leſs than four *Spaniſh* Veſſels at once, was by them at laſt board-

The Spaniſh *Fleet ſets upon the* Engliſh.

[2] Id. c. 303, 304.

The Fight is renewed; and the Engliſh *Fleet routed.*

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The Earl is taken Priſoner, with the Lord D'Angle, *&c.*

ed, notwithſtanding all the Defence he could make, and himſelf made a Priſoner, with the Lord *D'Angle*; not to mention ſeveral other Knights and Perſons of Quality, who were all either taken or kill'd: and among the *Engliſh* Ships that now fell into the hands of the Enemy, there was one laden with twenty thouſand Pounds in ready Mony to pay the Army; but this was nothing comparable to the Loſs which *England* received by the Death and taking of ſo many valiant Gentlemen. And yet the ill Conſequences of this Day were far greater than the Loſs it ſelf; for it was evident that King *Edward* now received the greateſt Blow that ever He had felt before, becauſe by this Defeat He loſt in a manner all that ever He had won in *France*, except *Bayonne*, *Bourdeaux* and *Calais*, as will appear in the ſequel of this Hiſtory; ſo fatal has it proved to *England*, whenever it has been overpower'd at Sea.

[l] Id. ibid.

The Earl is carry'd into Spain.

After [l] this Victory, the *Spaniards* left the Haven of *Rochel*, and failed away with the Earl of *Pembroke*, and the reſt of the Priſoners for the Coaſts of *Galicia*; a little after whoſe Departure, on *Midſummer*-day, there came to *Rochel* a great number of Men at Arms both *Engliſh* and *Gaſcoigners*, who had as yet heard nothing of this Miſchance of their Friends, for they had been only inform'd that the *Spaniards* lay before *Rochel*, with deſign (as it ſhould ſeem) to block it up; and therefore they came thither now to preſerve the Place. The chief Commanders of theſe men were the Lord *John de Greilly*, *Captal de Buche*, who, upon Sir *John Harpedon*'s being taken Priſoner on board the Fleet (whither he had gone to aſſiſt the *Engliſh* in the late Engagement) the *Captal* being one of the Duke of *Lancaſter*'s chief Deputies in thoſe Parts, conſtituted Sir *John Devereux* Seneſchal of *Rochellois*, with whom he left two hundred Men at Arms to ſecure the Caſtle of that Town. Having thus ſettl'd his Affairs there, he left *Rochel*, and marched away with four hundred Lances toward *Soubize*; for he heard that certain Troops of *Bretons* held ſeveral ſmall Fortreſſes thereabouts, which they had made defenſible; but as ſoon as the *Captal* and the *Engliſh* came thither, they eaſily won thoſe Holds, and ſo rid the Frontiers of their Company.

The Captal de Buche *brings a great many Men at Arms to ſecure* Rochel.

[a] Id. c. 305.

Owen, *a pretended* Welſh *Prince's Son, takes the Iſle of* Guernſey, *except the Caſtle of* Cornet.

In the mean while one [a] *Owen* (whom *Froiſart* and the *French* Hiſtorians corruptly call *Jvan*) a *Welſh* Nobleman, is by our Author (tho falſly) reported to have been outed of his Principality of *Wales* by King *Edward*, which He had then given to the Black Prince his Son; and that thereupon this *Owen* flying into *France*, and taking upon him the Title of Prince of *Wales*, was well received by King *Charles*; and being a Man of Courage and Conduct, had been by Him imploy'd in divers Enterprizes againſt the *Engliſh*, and was now ſent on board a Fleet with four thouſand men that landed in the Iſle of *Guernſey*. *Edmund Roſs* a valiant Gentleman, who was then Governor of it, gave Battel to this pretended Prince *Owen*; but the *Engliſh* Forces not amounting to above eight hundred men, were over-power'd by the *French*, and put to flight, four hundred of them being kill'd upon the Spot; yet he himſelf retreated to *Cornet*-Caſtle, which being very well fortified and victual'd, was immediatly beſieged by the *Welſh* Prince; but the Place was ſo ſtrong and well provided, that it was not ſo eaſy to be taken as he thought it.

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About the ſame time, King *Charles* [1] received the joyful News of the late Victory of the *Spaniards* over the *Engliſh* Fleet, and was reſolved to puſh on the Succeſs with greater vigour than ever: For He concluded, that when once the good Towns and Cities of thoſe Parts ſhould ſee the *Engliſh* begin to decline, they would preſently put themſelves into his hands; wherefore He forthwith determin'd to ſend his Conſtable *de Gueſclin* into *Poictou*, to the Counties of *Saintogne* and *Rochellois*, there to make War both by Land and Sea; for the *Engliſh* had now never a conſiderable Captain left in thoſe Countries: And the better to furniſh himſelf with a Navy, He ſent a Letter to this counterfeit Prince *Owen*, lying then before *Cornet*-Caſtle, thereby commanding him upon ſight thereof to raiſe the Siege from before that Place, and to go on board a ſwift Sailor preſently for *Spain*, there to ſollicit King *Henry* to ſend his Fleet to join with that of *France*, and thereby to maintain the Command of the *French* Seas. Theſe Orders *Owen* immediately obeying, ſent away his Forces for *Harfleur*, whilſt he himſelf ſet ſail for *Spain*, where he arrived preſently after the *Spaniſh* Fleet was come home from their late Expedition and Victory. The *Welſh* Prince was no ſooner landed there, but he immediatly addreſs'd himſelf to the *Spaniſh* Admirals, and deliver'd them the Meſſage which had been ſent him from the *French* King. And here I cannot forbear telling you, that [2] *Froiſart* (to whom we are beholden for this Relation) makes this *Owen* to have an Interview with the Earl of *Pembroke*, and the other *Engliſh* Gentlemen then brought in Priſoners, and he alſo gives us a Dialogue between the Earl and him, over whom he makes him inſult, but in ſuch a manner as declares the Diſcourſe to be a plain Forgery or Miſrepreſentation at leaſt by this Author, ſince he brings in this Counterfeit Prince calling himſelf *Owen*, Son to *Edmund* late Prince of *Wales*, and on that account challenging him to a ſingle Combat, which was prevented by the interpoſing of the *Spaniſh* Admirals. But this ſeems all a mere Romance, ſince it is certain there never was any ſuch Prince of that Country call'd *Edmund*; tho I will not deny but that there might be ſuch a Meeting between him and that Earl, and ſome part of the Converſation may be true enough. What was the Iſſue of this Prince's Ambaſſy into *Spain*, you will hear anon; but we ſhall at preſent return to the Affairs of *Poictou*.

[1] Id. ib.

The French *King ſends to* Pr. Owen *to raiſe the Siege of* Cornet, *and ſail for* Spain *to ſollicit for more Naval Strength.*

[2] Id. c. 306.

Account of an Interview between Pr. Owen *and the E. of* Pembroke, *which ſeems a Romance.*

When [3] King *Edward* had heard of the great Defeat his Navy had received before *Rochel*, He was mightily concern'd at the loſs of his Mony, but more at that of the Lives of ſo many brave men killed and taken, whereby thoſe Parts were left in a manner naked. Wherefore after a cloſe Conſultation about this important Affair, the King order'd the Earl of *Saliſbury* immediatly to go thither with five hundred Men at Arms beſides Archers. But whatever was now determin'd, there was no ſuch matter done; for the troubleſom Affair of *Bretagne* coming on preſently after, this Buſineſs was put off, which King *Edward* repented when it was too late.

[3] Id. ibid.

K. Edward *reſolves to ſend the E. of* Saliſbury *into* Poictou, *but it is put off.*

In the mean while Matters went very ill with the *Engliſh* in *Poictou*, for [4] Sir *Bertrand de Gueſclin* Conſtable of *France*, the Dukes of *Berry* and *Bourbon*, the Earl of *Alenſon*, and many other Lords of *France* with their Forces, in all to the number of above three thouſand Men at Arms, which being join'd to the Conſtable's,

[4] Id. c. 307.

The Conſtable of France *takes many Towns and Caſtles in* Poictou.

made a conſiderable Army; theſe went and laid Siege to *Montmorillon* ſtanding on the River *Gartempe*, which they took by Aſſault, and put all within to the Sword, and new gariſon'd the Place with *French*-men. From thence they proceeded to *Chauvigny* on the River *Creuſe*, where they lay two days, and on the third that Place was yielded up, and the *Engliſh* within taken to mercy. From thence they went to the Town and Caſtle of *Luſats*, both which ſurrender'd without ſuffering one Aſſault: After that they came before *Poictiers*, where finding too ſtrong a Gariſon to be eaſily taken, they parted Forces, and the Duke of *Berry* went one way with a conſiderable Body, whilſt the [1] Conſtable led the reſidue of the Army toward *Moncontour*, and ſat down before it, the Captains whereof were *John Creſwel* and *David Holcroft*, and with them were ſixty Men at Arms of approv'd Valour; and beſides this, the Place was very ſtrongly fortified: but the *French* Army being ſuperior to them, and making many vigorous Aſſaults on the Place, they at laſt fill'd up the Ditches, and having approached the Walls under the Cover of a *Teſtudo*, they began to make ſuch great Breaches in them, that the Commanders of the Gariſon being afraid the Place would be taken by Storm, and that they ſhould be all put to the Sword, treated with the Enemy, and ſurrender'd upon condition, that they ſhould march out with their Arms and Baggage (except only Gold and Silver) and ſo they left the Place, and were convey'd to *Poictiers*.

Then [2] the Conſtable joining his Forces again with thoſe of the Duke of *Berry*, and thereby making a great Army, marched into *Limoſin*, and beſieged the ſtrong Caſtle of *St. Severe*, which was under the Command of Sir *John Devereux*; but he being then at *Rochel*, had committed the Place to the Cuſtody of Sir *William Piercie* and other Gentlemen, who upon the approach of the *French* immediatly ſent away to Sir *John* the Governor, deſiring his ſpeedy aſſiſtance; who thereupon conſulting with Sir *Thomas Piercie*, agreed to go to the Captal *de Buche*, and deſire him to join his Forces with theirs, in order to relieve the Place. So leaving Sir *John Reynolds* Governor of *Rochel* in his room with a ſufficient Gariſon, they went with what men they could ſpare to meet the *Captal*, who joining with divers Barons of *Poictou* that came in upon Summons, made up a ſufficient Army to cope with the Enemy: But [3] the Duke of *Berry* and the Conſtable having received Intelligence what the *Engliſh* Commanders then intended, they ſo vigorouſly ply'd the Siege, that tho Sir *William Piercie* and his Men made a ſtout Defence, yet finding they were not able to hold out long, and not knowing when they ſhould be reliev'd, they capitulated and deliver'd up the Caſtle, upon condition only to march out with their Arms. But the ſame day before night, the *Engliſh* Army coming up to its relief, the Conſtable drew up his Forces in order of Battel; but the *Engliſh* ſeeing the Place loſt, had no mind to engage, and ſo left the Field without fighting, and thereby gave the *French* an opportunity of taking the City of *Poictiers*. The manner thus:

[4] Moſt of the chief Citizens had all along a great Inclination to the *French* Intereſt; but they durſt not ſhew it, till taking the advantage of the abſence of Sir *Thomas Piercie*, with the major part of the Gariſon, who were gone to the relief of **St. Severe**, there aroſe a

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[1] Id. c. 307. *The Caſtle of* Moncontour *yielded on conditions.*

[2] Id. c. 308. *As is alſo the Caſtle of* St. Severe.

[3] Id. c. 309.

[4] Id. ibid. *The City of* Poictiers *deliver'd to the* French.

great Diviſion in the City, for the major part of the Townſmen were for letting in the *French*; but Sir *John Reynolds* the Mayor and moſt of the Commonalty reſolved to remain true to the *Engliſh*, yet the Chief and Richeſt Burgeſſes, of whom there were a great number, would have the Conſtable ſent for preſently, to come and take poſſeſſion of the City, for they promiſed to open the Gates to him; at which News *Gueſclin* was glad, and having communicated the Matter to the Dukes of *Berry* and *Bourbon*, it was then agreed, That he ſhould go immediatly from the Army with Three hundred Lances; and ſo he marched the remainder of that Day and the Night following (taking little Reſt) above thirty Leagues another way, than that which he knew the *Engliſh* had taken. The next Morning he came to *Poictiers*, where he found the Gates open, and his Friends ready to receive him; yet if he had tarried but an hour longer, he had come too late, for Sir *John Reynolds* and thoſe of his Party had ſent in all haſt to the *Captal* and Sir *Thomas Piercy*, to give them notice of it, who immediatly diſpatch'd away one hundred Spears, and as many Archers on Horſeback; and theſe were then come within a League of the City, when the Conſtable enter'd it.

' Upon the News of the Loſs of this Conſiderable Gariſon and City, all the Lords and Men of Quality of *England* and *Gaſcoigne* that were left behind (tho they then made the number of above Twelve hundred Men of Arms beſides Archers) were ſo dejected, that they began to diſtruſt the Fidelity of the *Poictovin* Nobility, who ſeem'd yet to continue in the *Engliſh* Intereſt, until they were by them well aſſured that they would ſtill remain faithful to the King of *England*, ſo long as they had any Place to retire to; but however they reſolved to part their Forces for the preſent, and the *Poictovin* and *Gaſcoigne* Lords went to the City of *Thouars*, whilſt the *Engliſh* Commanders with their Forces marched to the Town of *Niort*, where they thought to have had ready entrance, but upon their coming thither, they found the Gates ſhut againſt them, being told by the Townſmen that they ſhould have no admittance there; but they did not well conſider the Conſequence of this Action, for the *Engliſh* Commanders being highly incenſed at this Affront, order'd their Men to make a vigorous Aſſault upon the Place, which was executed accordingly, inſomuch that they took it by Storm, the Town was plundered, and moſt of the Inhabitants put to the Sword; but this was but a ſmall amends for the ill Succeſſes that both preceded and follow'd this Action.

' Id. c. 309.

Upon which the Engliſh *diſtruſt the Fidelity of the* Poictovin *Nobility, who go to the City of* Thouars.

The City of Niort *ſtorm'd by the* Engliſh, *who put the Inhabitants to the Sword.*

• For whilſt the *Engliſh* Forces thus lay at *Niort*, and durſt not divide themſelves for doubt of their ſeeming Friends, and fear of their prevailing Enemies, *Owen* the pretended *Welſh* Prince had ſucceeded ſo well with *Henry* King of *Caſtile*, that He ſent him before *Rochel* with a ſtrong Fleet of Forty Capital Ships, Thirteen Barks and Eight Galeons full of good Soldiers, under the Command of *Don Rodrigo de Roſes* Admiral of *Spain*; and therewith ſo blocked up the Haven, that none could paſs in or out, without a great deal of Danger. The *Rochellers* ſeeing themſelves in ſo ill a Condition, and being more inclinable to the *Spaniards* that were now engaged to the *French* Intereſt than to the *Engliſh*, fell into a ſecret Treaty with Prince *Owen* and the Admiral of *Spain*, with whom they agreed for a mutual Truce to be kept

• Id. c. 310.

P. Owen *brings a ſtrong Fleet to the Aſſiſtance of* France, *and blocks up the Haven of* Rochel.

kept between them, promiſing, that whenever they could, they would make themſelves Maſters of the Caſtle, and declare themſelves True *Frenchmen*. In the mean while the *Spaniſh* Fleet lay hovering thereabouts, having their Spies on Shore, who gave them an Account of whatever was done.

[3] Id. ib.

Certain French *Commanders going to take the Caſtle of* Soubize, *are routed by the* Captal de Buche.

During this Tranſaction, [3] the Conſtable of *France* being then at *Poictiers*, which he had newly taken, ſent forth the Sieur *du Pons* and Sir *Thibald du Pont*, with Three hundred Lances to the Caſtle of *Soubize*, a ſtrong Fortreſs in *Saintonge*, ſtanding on the Sea-ſide near the Mouth of the *Charente*; within the Caſtle was the Lady thereof with a ſmall Gariſon: wherefore upon the firſt apprehenſions of Danger, She ſent immediatly to the *Captal de Buche*, requeſting his ſpeedy Aſſiſtance, who in compliance with her Deſire muſter'd up about Two hundred Lances, which he reckoned ſufficient for the Relief of that Place,and for ſurprizing the *French* in the Night. And they fell upon them with ſuch terrible Outcries,that he put them that lay before the Place into the greateſt Confuſion,ſo that he took their Commanders Priſoners, whilſt the Men were either kill'd or ran away. But whilſt the *Engliſh* were thus imploy'd in taking and perſuing their Enemies, they themſelves fell into as great a Misfortune; for Prince *Owen*, who then lay with the *Spaniſh* Fleet before *Rochel*, having Intelligence of the *Engliſh* Deſigns, reſolved to ſail immediatly to the aſſiſtance of the *French* before *Soubize*; ſo having took about Four hundred Men at Arms, and put them on Board thirteen Barks, he ſail'd away privatly up the River *Charente* towards that Place, and landing in the Night (with many Torches and other Lights) he came very opportunely for the Relief of the *French* that had been lately routed, and fell upon the Rear of the *Engliſh*, who thought themſelves then ſecure, being diſpers'd either in the Chace, or looking to their Priſoners and Plunder; but being thus aſſaulted on the ſudden by ſo many freſh Men, they were quickly routed, kill'd or taken, and the *Captal* himſelf with Sir *Thomas Piercy* made Priſoners; which was a great Loſs to the *Engliſh* Intereſt, he being one of the moſt Conſiderable Warriors in that Age: but ſome of the Knights and Men of Quality made a ſhift to get into the Caſtle of *Soubize*, tho it did not prove any long Refuge or Shelter to them; for Prince *Owen* having ſet free the *French* Commanders, and rallied together the remainder of their Forces, laid freſh Siege to the Caſtle both by Sea and Land; whereupon the Lady thereof and the Gariſon, ſeeing no further hopes of Relief, ſurrender'd the Place upon Condition, that She might ſwear Fealty to the King of *France*, and the Officers and Soldiers be convey'd with their Arms as far as *Niort*.

But are reſcued by Prince Owen, *whereby the* Engliſh *are routed, and the Caſtle forced to ſurrender.*

[4] Id. ib.

St. John d'Angely *is ſurrender'd to certain* French *Noblemen.*

After [4] this Succeſs, Prince *Owen* with the *French* Commanders went on Board their Veſſels, and return'd to the *Spaniſh* Fleet that lay ſtill before *Rochel*: but the Sieur *du Pons*, and the *Bretons* and *French* being aſſiſted by freſh Recruits under the Conduct of certain Noblemen, immediatly undertook another Expedition; and marching before *St. John d'Angely*, they preſently aſſaulted it, whereupon the Inhabitants ſeeing how faſt the whole Country fell off, and deſpairing of any timely Succour, now their Chief Governour the *Captal* was taken Priſoner, yielded themſelves, and voluntarily engag'd for the *French* Intereſt.

After [1] this they marched on, and came before *Angouleſme*, which ſubmitted in the ſame manner: and this Example was followed by *Taillebourg*, a Town of *Saintonge*; from whence they went and lay before *Saintes*, the Chief City of that Province, where they were two days without any Succeſs, becauſe the Governour Sir *William Ferenton*, reſolved not eaſily to yield up ſo Conſiderable a Place, but rather to ſtand manfully upon his Defence. But whilſt he was about to do this, the Biſhop of the Place being a true *Frenchman*, made ſuch Harangues to the Citizens, that they ſeiz'd the Governour and threatned to kill him, unleſs he would agree to deliver up the Town; ſo thro fear he was obliged to conſent, but on this Condition, that he and his Men might go away freely without any Harm or Impeachment: and thus was *Saintes* alſo deliver'd to the *French*, but Sir *William Ferenton* with his Men had Safe-Conduct to go to *Bourdeaux*.

[1] Id. ib.

Angouleſme *alſo ſubmits to them.*

The City of Saintes *is alſo ſurrender'd by the Citizens.*

Whilſt [2] the *Spaniſh* Fleet lay at Anchor before the City of *Rochel*, the Townſmen held underhand a Treaty with them, for they durſt not openly declare themſelves ſo long as the Caſtle continued in the hands of the *Engliſh*; but they now found a fit Opportunity to expreſs their Malice to them, by reaſon that Sir *John Devereux* had lately gone from thence to the Relief of *Poictiers* with a great part of the Gariſon, and had left the Caſtle in the Cuſtody of *Philip Manſel*, a Gentleman of ſufficient Courage, but of no great reach, as you will ſee by the Event; for *John Caudorier* then Mayor of the Town, being a ſecret Enemy to the *Engliſh*, held a Conference with ſeveral other Burgeſſes of his Faction, wherein they reſolv'd to ſeize upon the Governour and Gariſon that was in the Caſtle, and then they knew that and the Town would be in their own power, which was brought about by this means. The Mayor pretending he had newly received freſh Orders from King *Edward*, invited *Manſel* the Deputy-Governour to Dinner, in order to communicate them to him: and after the Entertainment was over, the Mayor knowing that the Governour could not ſo much as read, had the Confidence to produce a Letter with the King's Seal to it, which the Deputy pretended to read tho he could not; and thereupon the Mayor took the Letter, and read it to him as he pleas'd, the Tenour of which he pretended was, that the King had commanded the Governour and the Mayor to make joint Muſters of the Forces in the Town, and therefore required him to draw out his Men the next Morning, and take a View of them, as he (the Mayor) would do at the ſame time of thoſe belonging to the Town. Upon reading which counterfeit Letter, the Captain, who ſuſpected nothing, promiſed to do his Duty the next Day.

[2] Id. ib.

Rochel *is betray'd to the* French *by the treachery of the Mayor.*

Then the Mayor muſter'd up Two hundred Men at Arms of his Party, and a little before day placed them behind the ruins of certain old Walls, by which he knew the Governour was to paſs with his Men; and at ſuch an hour he cauſed the Watch-Bell to be rung out, and all the Inhabitants to appear in Arms. Then *Manſel* having armed Fourſcore of his beſt Men, marched forth of the Caſtle in good Order at the head of them toward the Field where the Rendezvous was to be: but when he was once paſſed the old Walls, the Ambuſh ruſhed forth, and placed themſelves between him and the Bridge, and then he ſaw he was betray'd; however he faced about courageouſly upon them, hoping by Force to recover an Entrance into the Caſtle again;

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The Governour of the Caſtle and his Men are ſurpriz'd, and taken priſoners by the Mayor and Townſmen.

Thoſe in the Caſtle of Rochel *forced to ſurrender.*

again; but the Mayor came upon his Rear with the Commons of the City, to the number of Two thouſand fighting Men: ſo that the *Engliſh* being thus unequally matched, and aſſailed from before and behind, were compelled to yield for ſafety of their Lives, tho they could obtain nothing further. But for all that the Caſtle was not yet taken; for there were about twenty Valiant Men left in it, beſides Servants, who hearing what had happened to their Governour, drew up the Bridge and ſhut the Gates, and ſeemed reſolved to ſtand upon their Defence to the laſt; but the Mayor being vexed at this Diſappointment, threatned the Governour and the reſt of thoſe he had taken Priſoners, that unleſs he would command thoſe in the Caſtle to ſurrender it, he would immediatly cut off their Heads; whereupon the *Engliſh* ſeeing themſelves in this Condition, prevailed with thoſe in the Caſtle to ſurrender the Place accordingly: but however thoſe within by this means obtain'd not only pretty good Conditions for themſelves, but for thoſe that were taken Priſoners, that they ſhould all be put into a good Ship, with all their Goods and Monies, and ſafely convey'd by the Mayor and Burgeſſes of *Rochel* to the Port of *Bourdeaax.* Thus the Impregnable Caſtle and Town of *Rochel* fell into the hands of the Citizens, and the *Engliſh* were ſent away as they deſired.

[1] Id. ib.

The Dukes of Berry, Bourbon, *&c. take in ſeveral ſtrong Places.*

The Rochellers *deny admittance to thoſe* French *Lords, or to the King Himſelf, unleſs on Conditions, which the Conſtable dares not conſent to without the King's Leave.*

* Black, *is Copper unſilver'd:* White, *Copper ſilver'd over.*

The K. grants all their Demands by his Charter.

When [1] the Dukes of *Berry*, *Bourbon* and *Burgundy*, with other Lords of *France*, had received this agreeable news, they reſolved to puſh on their Succeſs; and therefore marching out of *Berry* and the Country of *Limoſin*, they deſigned for *Poictiers* to joyn the Conſtable of *France:* but in their way thither they took in ſeveral Caſtles and Places of Srength, as *Brion* and *Meſle*, and divers other Fortreſſes, particularly *St. Maixent*, a Town in *Poictou*, which yielded upon their firſt Approach; but the Caſtle that ſcorn'd to follow ſo mean an Example, was not taken without Aſſault. After which Succeſſes, they coming to *Poictiers*, ſent Meſſengers to treat with the Burgeſſes of *Rochel*; but they being now at their own Diſpoſal, poſitively refuſ'd to admit any of the *French* Lords into the Town, or ſurrender the Place into the hands of their King Himſelf, but upon certain Conditions; in order to which, they demanded a Safe-Conduct for ſuch of the Chief Burgeſſes of the Town, as they ſhould name, to go to *Poictiers*, and there make their Propoſal to the Conſtable and the reſt of the *French* Lords: this being granted them, the Conditions they demanded were, That they would become ſubject to K. *Charles*, provided the Caſtle that commanded their Town ſhould be raſed to the Ground; they likewiſe required to have a Mint allowed them to coyn *Florins* and other Mony, both * Black and White, of the ſame Form and Alloy with that of *Paris*. To theſe ſtrange Conditions, thus unuſually propoſed by Subjects, the Lords of *France* durſt not agree, but refer'd them to the King Himſelf, and gave them their Safe-Conduct to go to the King about it; upon this Twelve *Rochellers* went to *Paris* to the King, who ſeeing it no time now to ſtand upon Punctilio's, not only gave them his Pardon for preſuming thus to capitulate with their Prince, but alſo treated and highly preſented them; they likewiſe obtain'd a Charter of their Liberties in as ample a manner as they deſired, having been confirm'd in the Chamber of the Peers of *France*, and ſealed before the King Himſelf: hereupon they began immediatly

Whereupon they demoliſh their Citadel, and receive the Conſtable.

to demoliſh their Caſtle, which had been one of the ſtrongeſt in *France*, and raſed it down to the Ground; and when they had thus ſecured themſelves of that Fear, they ſent to *Poictiers* to the Conſtable and Lords, letting them know they might now come to *Rochel*, for they were ready to open their Gates, and receive them. Upon this intelligence the Conſtable went thither with two hundred Men at Arms in his Company, and the *Rochellers* received him in triumph, and there perform'd their Fealty and Homage to him, as unto the *French* King, from whom he had a Procuration for that purpoſe; and I ſuppoſe that it was in conſideration of this Service, that the *Rochellers* enjoy'd thoſe great Privileges and Immunities, which continued till about fourſcore Years ago, when they forfeited them by taking up Arms againſt *Lewis* the XIII. in defence of the Proteſtant Intereſt. But to return to the matter in hand.

[1] Id. c. 311. *The Conſtable takes ſeveral ſtrong Towns and Caſtles in* Rochellois.

[1] After the Conſtable of *France* had tarried ſome days at *Rochel* to ſet things in order there, he return'd to *Poictiers* to the other Dukes and Lords of *France*; with whom being join'd, he marched with three thouſand Spears further into the Country, for he deſign'd to recover all the Caſtles and Fortreſſes in *Rochellois*, and about the Marches, which were as yet in the *Engliſh* hands: and firſt they came before *St. Benont*, a ſtrong Caſtle, but however they vow'd to reduce it before their Departure; and notwithſtanding the *Engliſh* Gariſon from *Surgieres* came upon the *French* Army in the Night, and beat up their Quarters, carrying away certain Priſoners, and cauſing a great Alarm in their Camp, yet did it not hinder them from proſecuting the Siege with that vigour, that they ſoon after took the Place by undermining it; and entring it, put the whole Gariſon to the Sword.

Then the Conſtable, after he had order'd the Caſtle to be repair'd, and had put a ſufficient Force into it, advanced forward to another called *Marant*, which being leſs defenſible than the former, ſurrender'd upon Terms. From thence he went to *Surgieres* to revenge the Affront he had lately received from that Place; but that Gariſon fearing the Conſtable's Revenge, had deſerted the Place before the *French* could come up to it: ſo having plac'd a Gariſon likewiſe there, he went back to *Fontenay le Comte*, a Caſtle belonging to the Lady of Sir *John Harpedon*, who was then a Priſoner in *Spain*; and here the Conſtable laid Siege both to Town and Caſtle, and many fierce Aſſaults were made; but at laſt it was agreed by Compoſition, that the Lady her ſelf, and as many as would remain true to King *Edward*, ſhould go to *Thouars*, their Lives, Honours and Goods preſerv'd; and accordingly they were ſafely convey'd thither by the Conſtable's Order.

[2] Id. ib. *The Conſtable beſieges the Barons of* Poictou *in* Thouars.

Then not long after, [2] He with the Lords of *Partenay*, *Pauſanges*, *Cors*, and many other Noblemen, undertook the Siege of *Thouars*, it being the preſent Refuge for all the Barons of *Poictou*, that ſtill continued firm to the *Engliſh* Intereſt: and the Conſtable having inveſted the Place, and brought thither from *Poictiers* and *Rochel* ſeveral Engines, they continually play'd night and day upon the Town, to the great terror of thoſe that were in it; ſo that at laſt with deſign to gain as much time as they could, and in hopes of Succour from *England*, they agreed with the *French* for a Truce for them and their Eſtates

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until *Michelmas*-day next enſuing; within which time if they were not reliev'd by the King of *England*, or one of his Sons, they promis'd then to yield both themſelves and their Lands to the Obedience of the *French* King. Theſe Terms being agreed to on both ſides, the Conſtable, with the other Lords of *France*, return'd to *Paris*, whither by this time the *Captal de Buche* was brought a Priſoner, and put under ſafe Cuſtody in a Tower of the *Temple*. The *French* King being extremely pleas'd to ſee him, very well rewarded an Eſquire of *Vermandois* who took him, with a preſent of twelve thouſand *Franks*: But becauſe the *Captal* would by no means renounce the *Engliſh* Intereſt, tho it were to purchaſe his Liberty, the *French* King, who was afraid of his Valour, would not let him be put to ranſom, nor ſet free by Exchange; tho the *Engliſh* offer'd one Earl and three Knights for him: So that he never enjoy'd his Liberty any more, but remain'd in cloſe Confinement till his Death, which happen'd about four Years after, being a Nobleman worthy of a better Fortune and an Immortal Memory; for he yielded to none in that Age for Valour, Courteſy, Piety or Conduct: And as for his Nobility, he was nearly allied to the Kings of *Navarre*, *France* and *England*; and from his Blood is deſcended the preſent Royal Family of *France*. But we will now return to the Affairs of *England*, where we ſhall ſtill find nothing but Loſſes and Diſappointments.

The French *King refuſes to ſet the* Captal de Buche *free on any Terms.*

[a] Id. ib.

The Poictovin *Lords in* Thouars *ſend to K.* Edward *to ſet forth their dangerous Condition.*

Immediately after the abovemention'd Truce, [a] the *Poictovin* Lords that were firm to King *Edward* ſent Meſſengers to Him, who declar'd to Him and his Council the deſperate State of *Poictou* and *Saintoigne*, and the dangerous Condition of the Lords and Gentlemen that were beſieged in *Thouars*, and what Agreement they had made with the Conſtable of *France*; which when the King heard, He was exceedingly vexed to find a Prince, whom He looked upon as wholly unwarlike, to be a harder Match for Him than either King *Philip* or *John*, who were Brave and Valiant Princes; and which indeed ſhews us, *That a Prince that acts offenſively, if he has by his own natural Prudence made choice of Brave and Experienc'd Commanders, may have the better of another more warlike, who wants thoſe Advantages.* But however, when King *Edward* had taken advice of his Council, their Reſolution was to command the Duke of *Lancaſter* (who was juſt then ready according to former Orders to go for *Calais* with a conſiderable Army) to attend a while, for He deſign'd to go along with Him in Perſon into *Poictou* and *Saintoigne*, to retake *Rochel*, the greateſt ſtreſs of his Affairs lying there. In the mean while the King ſent an extraordinary Summons throughout the Realm, commanding all men of ſuch and ſuch an Age and Degree, to come ready armed to *Sandwich*, or thereabouts, by a Day appointed, to go over Sea along with Him, and his Sons, the Prince and the Duke of *Lancaſter*; ſo that none of thoſe who were concern'd either would or durſt diſobey this general Command of the King, but drew as faſt as they could to the Sea-ſide, where lay ready for them four hundred great Ships, beſides other Veſſels.

He reſolves to go over with the Duke of Lancaſter *into* Poictou.

[b] Rot. Clauſ. 46 Ed. 3. m. 12. dorſ.

Then on the thirtieth of *Auguſt* ([b] Orders having been already given for publick Prayers to be made in all Churches, for good Succeſs upon this Voyage) the King took Shipping in the end of *Auguſt*

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with *Edward* the Black Prince (who was now ſo well recover'd as to be able to go to Sea with his Father) and divers of his chief Nobility, as well as his whole Army, embarking in four hundred Veſſels of all ſorts, ſail'd toward the Coaſt of *France:* but the Wind (tho proving fair at firſt) quickly turn'd ſo contrary, that He could never land in *France* at all; ſo about five weeks after, in the beginning of *October*, when the time limited for the Relief or Surrender of the Town of *Thouars* was expired, He was forced to return into *England*. This was the laſt and moſt unfortunate Voyage that King *Edward* ever made, ſince by this and the laſt Diſaſter of the Earl of *Pembroke*, He loſt almoſt his whole Dominions on that ſide the Water.

The King with a great Army puts to Sea, but is forced back by a contrary Wind.

But I muſt here obſerve, that before the Black Prince went to Sea, the King at his Requeſt had by his [2] Letters Patents conſtituted his Grandchild *Richard*, then ſcarce ſeven Years of Age, Guardian and Lieutenant of the Kingdom during his Abſence, appointing Him a Council for the management of all publick Affairs: and two days after, *viz.* on the firſt of *September*, they [3] iſſued out Writs of Summons in the Guardian's Name for a Parliament to meet fifteen days after *Michaelmas*; but before that time King *Edward* was return'd into *England*, and then by Writs dated at *Winchelſea* on the ſixth of *October*, He prorogu'd the Parliament to the morrow of All Souls, or third of *November*, when being met accordingly, [4] Sir *John Knivet* declar'd in part the Cauſes of the Summons to this Parliament; but they were further adjourn'd until Friday following, and then Sir *Hugh Bryan* in the *White Chamber* acquainted the Prelats, Dukes, Earls, Barons and Bannerets, that the Prince, who had the Principality of *Guienne* by the Grant of the King his Father, had, whilſt He was there, often ſignified to Him by Letters, *&c.* that the Revenues and Profits ariſing from that Principality, did not, nor could ſuffice to maintain him, and ſupport the Government and Wars againſt the *French* their Enemies, and other neceſſary Charges, without a great Aſſiſtance from the King; and that the Prince having made theſe things appear to the King and Council, when firſt he came into *England*, had therefore ſurrender'd into the King's hands the ſaid Principality, and all he could claim there by virtue of his Grant, in the preſence of the King's Council and ſome other Great Men.

[2] Rot. Pat. 46 E.3.p.2.m.25.

Pr. Richard *left Guardian of the Realm during the King's Abſence.*

[3] Rot. Clauſ. 46 E. 3. m. 11. Dorſ.

A Parliament ſummon'd, but prorogu'd.

[4] Rot. Parl. 46 E. 3. n. 1, 2, 3.

Sir John Knivet *declares in part the Cauſes of the ſummoning this Parliament, which are farther related by Sir* Hugh Bryan.

On [5] the next day, being Saturday, the ſaid Sir *Hugh*, in the Preſence of the Prince, Prelats, and the reſt of the Eſtates (as before recited) in the ſame Chamber, more expreſly declared the Cauſes of that Summons, which were, that the King by Advice of the Great Men, had order'd ſeveral Commanders of note to go with ſufficient Power, ſome into *Gaſcoigne*, others to *Calais*, to oppoſe the Deſigns of his Enemies, and to make War upon them by all the ways they could; but that afterwards, upon the ſudden News that came to the King of their March, He went Himſelf to Sea with the reſt of his Forces; yet by reaſon of the Winds being contrary, and other unavoidable Cauſes, He was forced to return into *England*, without doing any thing: And then having ſummon'd and prorogu'd this preſent Parliament, that ſo the Great Men, who were with Him at Sea, might be alſo there, and that by the good Advice and Counſel of them all, He might do the beſt He could for the Safety of the Nation, to reſiſt and oppoſe the Malice of his Enemies, who had made them-

[5] Ib. n. 9.

Sir Hugh *declares to all the Eſtates in Parliament the King's late ill Succeſs.*

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themſelves much ſtronger by Land and Sea than ever they had been before.

[1] Ibid. *And then deſires them to give the King the beſt Advice and Aſſiſtance.*

And [1] then He deſired the ſaid Prince, Prelates, Dukes, Earls, Barons and Commons, on behalf of the King, that they would adviſe upon this matter, and give Him ſuch Counſel and Aid, as ſhould ſeem to them moſt profitable for the Nation, and to reduce the Power of his Enemies. Whereupon the Prince, and all the reſt of the Eſtates above recited, having had full Deliberation upon the Points of their Charge, and the Dependences thereon, and alſo conſidering the great and exceſſive Charges and Expence the King was to be at for the Defence of the Nation, and maintaining the Wars againſt his Enemies, granted Him the former Subſidy of Wool, Leather and Woolfells, for two years longer, to begin at *Michaelmas* laſt paſt, *viz.* of every Sack of Wool which was ſhipt out of *England* 2 *l.* 3 *s.* 4 *d.* of every twelveſcore of Wool-fells as much, of every Laſt of Leather 4 *l.* of *Denizens,* beſides the old Cuſtom; and of *Foreigners* four Marks of every Sack of Wool, beſides the old Cuſtom, and as much of every twelveſcore of Wool-fells, and five Pound ſix Shillings and eight Pence of every Laſt of Leather.

[2] Ibid.

They grant the King a Fifteenth.

And [2] whereas the Subſidy and Cuſtom ſo granted could not be ſufficient for the great Expence and Charge the King was to be at, for the Cauſes aboveſaid, as it was openly ſhew'd unto them, the ſame Eſtates already recited, moreover granted a *Fifteenth* for one Year, to be levied as the laſt was. Then on the 23*d* of *November,* the King, Prelates, Dukes, Earls, Barons, and Commons again aſſembl'd in the *White Chamber*; and there the Chancellor declar'd to the King how kind the Lords and Commons had been to Him in granting Him the ſaid Subſidies and Fifteenth, who very kindly thanked them all for their great Aid: and afterwards the Petitions of the Commons were read and anſwered according to Cuſtom. After which the Knights of Shires had leave to depart, and ſue out Writs for their Wages or Expences; but the Citizens and Burgeſſes were commanded to ſtay. Whereupon the ſame day, they being aſſembl'd before the Prince, Prelates and Great Men, granted, for the ſafe conveying of their Ships and Goods, a Cuſtom of two Shillings upon every Tun of Wine coming in, or exported out of the Kingdom, and 6 *d.* in the Pound of all their Goods and Merchandize for one Year.

The Citizens and Burgeſſes grant the King a Cuſtom.

[3] Id. ib. c. 312. *A Miſtake of Froiſart confuted.*

But there is no credit to be given to that which *Froiſart* [3] relates concerning what was further tranſacted in this Parliament, that it was there agreed between King *Edward,* and the Prince his Son, if he ſhould happen to die before the King his Father, that then his Grandſon *Richard* ſhould ſucceed to the Crown of *England,* as next Heir, after the Deceaſe of the King his Grandfather; and that thereupon all the Prelates, Lords, and Knights, and the Commons of the Realm, had ſuch a Veneration for the Prince of *Wales,* becauſe of his heroick Vertues, that with one conſent they all agreed to this reaſonable Propoſal, which was ſworn to by the King, his Sons, and all the reſt there preſent, that the Lord *Richard* ſhould ſucceed, in the manner already recited. But, beſides the Abſurdity of this Relation, in making the King himſelf ſwear to the Succeſſion of his Grandſon, there is no mention of any ſuch Tranſaction, either in our Parliament-Rolls, or in any Hiſtorian in Print or Manuſcript, beſides this Writer; and therefore I look upon it as his Miſtake or Miſinformation in miſdating this Tranſaction, for indeed Prince *Richard* was not declared Heir apparent to the Crown till three Years after, when it was done in full Parliament.

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But we ſhall now look back to the Affairs of *France*, where a [a] little before *Michaelmas* the Barons of *England* and *Gaſcoigne* went from *Niort* toward *Thouars* in order to join King *Edward*, whom they then ſuddenly expected; but they were extremely ſurprized, when they could not hear any News of the King's arrival. However to acquit themſelves of their Duty to the utmoſt of their Power, they ſent certain Officers to the Barons of *Poictou* that were in *Thouars*, with a Meſſage to this effect: That they were come from the loyal Lords of *Gaſcoigne* and *England*, to let them know that they were marched from *Niort* with above twelve hundred Men at Arms, ready prepared to aſſiſt them; only they deſired to know, whether in the abſence of the King of *England* and his Sons, they would accept of it, or not, ſince as for their own Parts they were ready to venture their Lives and Fortunes with them. To which Meſſage the Barons and Noblemen in the Town after ſome Conſideration returned this Anſwer, That unleſs the King of *England* or one of his Sons had arrived within the time limited, they could not according to their late Agreement with the Conſtable of *France*, accept of their Aſſiſtance. At which Anſwer the *Engliſh* and *Gaſcoigne* Forces, that were without the Town, being much diſpleas'd, return'd again to *Niort* from whence they came.

[a] Id. ib.

The Engliſh *and* Gaſcoigne *Barons march towards* Thouars, *and offer the Barons within it their Aſſiſtance, who refuſe it.*

Not long after this, [a] on *Michaelmas* Eve, there came from *Poictiers* (according to the late Agreement before *Thouars*) the Conſtable and the Lord *Cliſſon*, with divers other Noblemen of *France*, to the number of ten thouſand Men at Arms, beſides others. This vaſt Army ſtood ready drawn up in Battel-Array in the Field before *Thouars* on the Eve of, and upon *Michaelmas*-day likewiſe, and towards Night they withdrew to their Tents; but on the morrow morning the Conſtable and the Dukes ſent a Summons to the Barons and Knights of *Poictou* within the Town, demanding of them to deliver up the City, according to their Promiſe and Oaths on that behalf made. To theſe Summons 'twas anſwer'd by them, that they would ſhortly come to *Poictiers*, and there ſubmit themſelves, and all their Lands, to the Protection of the *French* King. This Anſwer ſeeming ſufficient to the Lords of *France*, they broke up from before the Town, and the Dukes diſmiſs'd the greater part of their Army, only retaining ſuch competent Forces, as they had before they expected King *Edward*'s Arrival; and I ſuppoſe not long after the Noblemen in *Thouars* were as good as their words; tho why they did not ſurrender at that time, I can give no good account, unleſs it were that they ſtill expected King *Edward*'s Arrival. But in the mean while the Lord *Cliſſon* was appointed to go with the Conſtable, and take in other Places; and ſitting down before *Mortaigne*, with two hundred Lances beſides Foot, he had like to have been there ſurpriz'd by a Party of five hundred *Engliſh* that came from *Niort* in the Night; of which having notice by a Spy, he had only time enough to eſcape with his Men, and leave his Carriages behind him. But however the Lords and Gentlemen of the *Engliſh* Party that were ſtill at *Niort*, finding they were able to do

[a] Id. ib.

The Conſtable comes again before Thouars, *and ſummons thoſe within it to ſurrender, which they for the preſent defer.*

The Conſtable and Ld Cliſſon *are ſurprized by a Party of* Engliſh *from* Niort.

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do nothing more conſiderable this Campagne, reſolved to diſperſe Sir *Walter Hewet* with ſome few more returning into *England*, and all the reſt to *Bourdeaux*; but as they went, they burnt and ravag'd all the Lands of the Sieur *de Partenay*, who lately turn'd to the *French* before *Thouars*. Thus all the County of *Poictou* was reduced under King *Charles*'s Obedience, except a few Fortreſſes, as *Niort*, *Les Eſſars*, *Mortimer*, and ſome others, which made divers Excurſions and Inroads among their Neighbours, with various Succeſs.

[1] Id. c. 212.
The Duke of Bretagne *ſends over to* K. Edward *for Aſſiſtance.*

[1] Nor was the *Engliſh* Intereſt more fortunate in *Bretagne*, where tho *John* Duke of that Country, King *Edward*'s Son-in-law, could not without ingratitude declare againſt the Intereſt of his Father-in-law; yet the chief Nobility of his Country, eſpecially the Lord *Cliſſon*, the Lord *de la Val*, and the Viſcount of *Rohan*, were wholly in the Intereſt of *France*; and theſe had the aſſurance to tell the Duke to his face, that if he ſhould take part with King *Edward* againſt their Sovereign the King of *France*, they would quit his Service together with the Country: And the *French* King, who by his politick Arts had debauched moſt of the Lords of *Bretagne*, had aſſured them that ſo ſoon as ever they ſhould ſee the Duke begin to take up Arms, they ſhould give him notice of it, and he would immediately ſend them Aſſiſtance. But the Duke perceiving by theſe Declarations of his Lords, what he was to expect from them, and fearing they ſhould ſeiſe upon his Perſon, and ſend him Priſoner into *France*, ſent ſecretly to King *Edward*, repreſenting the great Danger he was in, and deſiring Him that He would ſend him ſome Forces for his Defence. Whereupon the King, who loved him intirely, ſent him four hundred Men at Arms, and as many Archers, under the Command of the Lord *John Neville*, who arrived at St. *Matthew de Fine Paterne*, and lodg'd in the Town without doing any Injury or Violence; for they behav'd themſelves regularly, and paid juſtly for whatever they had; and the Duke never offer'd to put them into any Fortreſs, but let them quarter there all that Winter: However the Lords of *Bretagne* were ſo much incens'd at this Action of the Duke's, that he had brought *Engliſh*-men into their Country, that they fortified their Caſtles, and began to ſtand upon their Guard, againſt the Duke and his Adherents. And in this tickliſh Poſture ſtood the Affairs of *Bretagne* all this Year, which was one of the moſt unfortunate to the *Engliſh* Affairs, that ever had been yet, tho thoſe that follow will not prove very much better.

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[2] Froiſ. ib.
The Conſtable takes the Field with a conſiderable Army, and beſieges Siveray.

England affording us nothing worth our notice, we ſhall again proceed with the War in *France*, [2] where no ſooner was the unactive Seaſon of Winter paſt, but the Conſtable *de Gueſclin* began to take the Field, marching from the City of *Poictiers* with fourteen thouſand fighting men under many other Commanders of note. With theſe he went and laid Siege to *Sireth*, or *Siveray*, a Place of Strength, and well fortified his Camp with a Ditch and Paliſadoes. During this Siege Sir *Robert Mico*, and another Gentleman, who were Captains in the Place, and had defended themſelves with great Valour againſt the Attacks of the *French*, ſent private Intelligence of their Condition to Sir *John d' Eureux*, and to Monſ. *D' Angouſe*, the chief Commanders that were left in *Niort*; who joining their Forces with thoſe of *Luſignan* and other Places, they made all together a conſiderable Army,

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Sir John D' Euereux *and others of the* Engliſh *march from* Niort *to relieve it, but are all ſlain or taken Priſoners.*

Army, tho not ſtrong enough to encounter that of the Conſtable in the open Field. Theſe being come near *Siveray*, inſtead of falling ſuddenly upon the *French* Camp (as in prudence they ought to have done) they made a halt to reſt and refreſh themſelves, of which the Conſtable having notice, he immediately put his men in order to fight, and then placed an Ambuſh of two hundred choſen men to receive thoſe of the Gariſon, if they ſhould offer to make a Sally upon them, as he verily believed they would: nor was he at all deceived in his expectations; for the Commanders within the Caſtle ſeeing from the Walls that there were Forces come to their Aſſiſtance, immediately ſent out about ſixty Soldiers to ſkirmiſh with the *French*, but with very ill ſucceſs, for they fell into the Ambuſh that was laid for them, and were all ſlain or taken Priſoners; after which the Conſtable marching out of the Camp in Battel-Array, ſtoutly received the Charge of the *Engliſh* Forces, who, tho they had ſome advantage at firſt, and broke thro the Body that the Conſtable himſelf commanded, yet being at laſt over-powered by the too great numbers of their Enemies, they were utterly defeated, and moſt of them either ſlain, or taken Priſoners, among whom were ſeveral of the chief Commanders both of *England* and *Poictou*. This Battel was fought on the twentieth of *March* this Year.

[s] Id. ibid. *The Caſtle of* Siveray *ſurrender'd on conditions.*

The Victory being thus obtained, [s] the Conſtable return'd to his Camp, where having taken care of his wounded men and Priſoners (of both which he had many) he ſent a Summons to thoſe in the Caſtle, to let them know, that if they did not immediately ſurrender it, they ſhould die without mercy; upon which terrible Threat, and knowing there was no further Relief to be expected, they ſubmitted, and had the favour to go off, without ſuffering any harm either in their Goods or Perſons, the Conſtable allowing them a Convoy to *Bourdeaux*. Thus this ſtrong Fortreſs, and all the Lands pertaining thereunto, returned to the Obedience of the *French* King. After this the Conſtable advanced before *Niort*, that ſtrong Town ſo often mention'd, where the *Engliſh* ſome time ſince had a good Gariſon; but that being gone, ſo ſoon as the Inhabitants heard that the Conſtable himſelf was coming againſt them, they went out to meet him with the Keys of the Town in their hands, and ſo conducted him within their Walls with great Joy. The Conſtable having tarried there ſome days to refreſh his men, went thence with an Army of fourteen hundred Lances, beſides other Soldiers, and preſented himſelf before the Caſtle of *Luſignan*, which yielded unto him upon Compoſition, thoſe of the Gariſon being permitted to go off with their Lives and Goods ſaved.

Niort *ſurrender'd by the Inhabitants.*

[t] Ib. ib. *The Conſtable marches forward, and takes in ſeveral other Caſtles.*

From [t] hence the Conſtable marched with his Forces to *Chaſtel Acart*, and ſummon'd the Lady *D'Angle*, the Owner of it, to ſurrender it; but ſhe, at her deſire, obtain'd the Conſtable's Safe-Conduct to attend the Duke of *Berry* at *Poictiers*, and know his pleaſure; where upon her repreſenting to him, that her Husband being then a Priſoner in *Spain*, and that ſhe could not take upon her to diſpoſe of his Caſtles and Eſtate without his Conſent, ſhe therefore humbly deſired ſome time to receive his Reſolutions and Commands; by this prudent Carriage ſhe obtain'd the Favor of a Ceſſation of Arms from the Duke, till ſhe could hear from her Husband, provided that ſhe did not in the mean while

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receive into her Caſtle any freſh Men, Victuals, Ammunition, other than She had at preſent. And ſo the Siege was raiſed, upon the Duke of *Berry*'s Order to the Conſtable for that purpoſe. From thence He went before the Caſtle of *Mortimer*, the Lady whereof ſubmitted her ſelf and her Lands to the Obedience of the *French* King, and She alſo delivered up the Caſtle of *Dienne*, which belonged to her: Thus was all *Poictou*, *Saintonge* and *Rochellois* quite clear'd of the *Engliſh*; whereupon the Conſtable having put good Gariſons in all the Places he had taken, and ſaw no ſign of Reſiſtance in thoſe Parts, all being reduced even as far as the River *Garonne*, he return'd into *France*, as alſo did the Dukes of *Berry*, *Bourbon* and *Burgundy*, and moſt of the *French* Barons, who had been engag'd on the *French* ſide, where they were all very well received, and highly careſſed by the King of *France*, eſpecially the Conſtable *de Gueſclin*, whoſe Glory eclipſed all the reſt, being look'd upon (as indeed he was) the Reſtorer of the *French* Monarchy.

All Poictou, Saintonge *and* Rochellois *are reduced under the* French *obedience.*

[1] Id. c. 313. *The L.* de Cliſſon *and other Noblemen of* Bretagne *march into* Normandy, *and beſiege ſeveral Caſtles.*

Whilſt [1] the Conſtable remained thus at *Paris*, the Lords *de Cliſſon*, *de la Val*, and other Noblemen of *Bretagne* took up Arms, and ſided with the *French* King, and marching with a powerful Army of *Bretons* and *Normans*, layd Siege to the ſtrong Caſtle of *Becherel* in *Normandy*, which they very much ſtraitned by their continual Aſſaults; but it being at that time gallantly defended by the Governour, Sir *John Cornwal*, it could not be then taken. During this Tranſaction, the *French* carried on another Siege before St. *Saviour le Vicount*, which continued a good while; for it is to be noted, that theſe two Gariſons, before they were beſieged, had over-aw'd all the *Lower Normandy*; ſo that nothing could be ſecure from them, but what was in ſtrong Fortreſſes; which was conniv'd at by the King of *Navarre*, who often aſſiſted them with Men and Proviſions, for he was not as yet thorowly reconciled to the *French* King his Brother, tho He was quickly after, when going to *Paris* He made a full Agreement with Him, and having put his Territories in *Normandy* under the King's Protection, and left his two Sons as Hoſtages for his Fidelity, He took his leave of *France*, and went into his own Kingdom, where He continued in Peace for about Six Years, and then took occaſion again to renew the War with his Nephew King *Charles* VI. as you will find in the next Reign.

The King of Navarre *is reconciled to the* French *King.*

[2] Id. c. 314. *Upon a Report of Pr.* Owen's *invading* England, *the E. of* Salisbury *is made Admiral, who ſails over to* Bretagne; *and burns ſeven great Ships.*

* Ex Autogr. penes Cleric. Pell. *cited by Sir* Will. Dugd. Bar. I. Vol. p. 647.

Whilſt [2] theſe Sieges were carried on by the *French* before *Becherel* and St. *Saviour le Vicount*, there was a Report that Prince *Owen* was coming by Sea with Six thouſand Men at Arms to invade *England*; whereupon King *Edward* appointed *William Montacute* Earl of *Saliſbury*, his Admiral, to guard the *Engliſh* Seas, He Himſelf being at that time retain'd by Indenture to ſerve the King with Three hundred Men at Arms (whereof Twenty were Knights, and Two hundred ſeventy nine Eſquires) beſides Three hundred Archers; not to mention the great Retinues of other Lords and Officers that went along with him, as Sir *John Montacute* his Brother, Sir *William Neville*, Sir *Philip Courtney*, with divers others. This Fleet conſiſting of Forty great Ships beſides Barges, ſet forth from the Coaſt of *Cornwall*, and made directly for the Port of *St. Malo*, in *Bretagne*; where being arrived, and finding in the Haven Seven great *Spaniſh* Veſſels, they burnt them all; whereat the whole Country

was

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was alarm'd, verily believing that the *Engliſh* had received thoſe Orders from the Duke himſelf; upon which moſt of the Towns and Caſtles of *Bretagne* having a ſuſpicion of him, ſtood upon their Defence.

The [3] Duke's ſecret Intentions to ſide with the *Engliſh* had before this been fully diſcover'd to the *French* King by certain of his (the Duke's) Servants, to whom he had let fall ſome words in favour of the King of *England*; whereupon He order'd his Conſtable to undertake an Expedition into *Bretagne*, commanding and impowering him to take into his hands all Cities and Fortreſſes, and to ſeize the Bodies and Goods of all that ſhould reſiſt; for the King and his Council had already agreed, That the Duke had now forfeited all his Territories, as having received his Enemies the *Engliſh*, and he alſo Himſelf having took part with the King of *England*, and entred into a ſecret Alliance with Him againſt the Crown of *France*, of which He held his Dutchy of *Bretagne* by Homage and Fealty. Upon this the Conſtable went from *Paris* to *Angiers*, where he made his general Rendezvous; and thither came to him the Duke of *Bourbon*, the Earls of *Alenſon*, *Perche*, and *Portien*, and many other Lords and Great Men of *France*, beſides thoſe that came from the Marches of *Anjou*, *Poictou* and *Touraine*.

[3] Id. ib.

The French *King ſends his Conſtable to ſeize upon the* Dutchy *of* Bretagne.

On [4] the other ſide the Earl of *Salisbury*, who lay with his Fleet in the Port of *St. Malo*, being well informed of theſe mighty Preparations of the Conſtable's, and how in a manner all the Dutchy of *Bretagne* was ready to revolt from the Duke, he thereupon ſailed thence to *Breſt*, which was then (as now) one of the ſtrongeſt Places in *France*; but being threatned to be beſieg'd by them, he reinforced the Place with Men and Victuals. But I ought firſt to have told you, [5] that a little before this, the Duke of *Bretagne* was gone for *England*; for when he heard how the Conſtable was coming with ſuch vaſt Forces againſt him, he durſt not truſt to any of the Fortreſſes, and therefore reſolved to go thither himſelf, as well to avoid the impending ſtorm, as to haſten Succours from thence: but having conſtituted Sir *Robert Knolles*, whom he left his Lieutenant of all *Bretagne* during his Abſence, he went firſt to viſit his Caſtle of *Auray* (lying between *Vannes* and *Hennebond*) which held firm to him; and an *Engliſh* Knight named Sir *John Auſtin*, being Captain thereof under him, with whom he left his Dutcheſs, he conjured him to guard her well, which he promiſed to perform to the utmoſt of his Power. Then the Duke left *Auray*, and went to *St. Matthew du fine Poterne*, which undutifully ſhut her Gates againſt him; wherefore he paſſed on to *Le Conquet*, and there took Shipping for *England*.

[4] Id. ibid.

The E. *of* Saliſbury *ſails from* St. Malo *to* Breſt.

[5] Id. ibid.

The Duke of Bretagne *comes into* England.

[6] In the mean while, the Conſtable invaded *Bretagne* with a great Army, to whom reſorted all the Lords of *Bretagne*, that had been lately at the Siege of *Becherel*, leaving it to be carried on by the Lords of *Normandy*. With theſe joint Forces the Conſtable went firſt to the City of *Rennes*, and upon his declaring that *John de Monford* their late Duke had forfeited his Dutchy by rebelling againſt his Sovereign the King of *France*, the Citizens open'd their Gates and received him; from thence he came before *Dinant*, which ſubmitted in like manner, as did alſo the City of *Vannes*; but *Luzemont*, after a bold reſiſtance, being taken by Force, all within it were put to the Sword. In ſhort,

[6] Id. ibid.

The Conſtable invades Bretagne, *and is received at* Rennes, Vannes, *and other Places.*

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the Conſtable ſoon reduced all that part of *Bretagne* to the *French* Obedience without ſtriking a ſtroke, except at *Quimperlay*, whereof one *John Rous* was Governour; who, when the Town was taken, was ſlain by the hands of the Lord *de Cliſſon*; but he in Return for all the Favours he had formerly received from the King of *England*, did now ſo hate all *Engliſhmen*, as he hardly took any to Mercy that once fell into his hands. But it was the Conſtable's Reſolution firſt to reduce *Bretagne* * *Bretonant*, becauſe that part was always more inclinable to Duke *John*'s Intereſt, than *Bretagne Gallicant*; and therefore he chiefly beſtir'd himſelf in theſe Parts.

* *i. e. That part of it that commonly uſes the antient* British *Language, almoſt the ſame with the* Welſh.

As for * Sir *Robert Knolles*, who was the only Commander of Note that ſtuck to the Duke's Intereſt, and had been left his Lieutenant during his Abſence; tho he wanted neither Courage nor Conduct, yet he had not ſufficient Forces to oppoſe the Conſtable of *France*; ſo that all he could then do was to ſtrengthen thoſe Gariſons that remain'd, and render them as defenſible as they could be, as he did in particular his own Caſtle of *Derval*, which he committed to the Cuſtody of Sir *Hugh Bright* his Kinſman; he himſelf going to *Breſt*, ſtaking all his Fortune upon the ſtrength of that Place.

* Id. ib.

Sir R. Knolles *not being able to oppoſe, fortifies his Gariſons, and retires to* Breſt.

About the ſame time the Conſtable, who had by ſeveral Detachments taken in moſt part of the Towns on that ſide of *Bretagne*, came in Perſon, and laid Siege to *Hennebond*, the Commander whereof under the Duke was an *Engliſh* Gentleman, named *Thomas Wiche*, to whoſe Aſſiſtance Sir *Robert Knolles* had lately ſent a Valiant Knight, called Sir *Thomas Prior*; ſo that in all they made about Fourſcore Men at Arms, beſides others. As ſoon as ever the *French* Army was come thither, they began to aſſault the Caſtle, having brought with them certain terrible great Guns, wherewith they had won divers Caſtles and Fortreſſes. When theſe ſtrange Engines were planted againſt the Town and Caſtle, the Conſtable commanded it to be proclaim'd in the Hearing of the Beſieged, That having ſworn he would Sup within the Town that Night, whoever ſhould preſume to make any Reſiſtance, he would put them all to the Sword as ſoon as ever he enter'd the Place. Upon which Threatning Proclamation, the Townſmen were ſo diſcouraged, that they ſlunk away, and left the Defence of the Walls to the *Engliſh* Gariſon, which being too inferior in number to hold out againſt ſo large a Place, it was ſoon taken by Storm, and all the *Engliſh*, except the Two Chief Commanders, put to the Sword; after which the Conſtable, having ſtay'd there ſome days to new fortify the Place, removed to *Le Conquet*, a Port Town, which he reſolved alſo to reduce.

The Conſtable beſieges the Town of Hennebond, *takes it, and puts all the* Engliſh *to the Sword.*

This Place after a gallant Reſiſtance was taken likewiſe by Aſſault, and all within it put to the Sword, except only the Captain, Sir *John Langlay* an *Engliſh* Knight, who was received to Mercy. *Le Conquet* being thus won, the Conſtable taking care to repair it, then reſolved to go before the ſtrong Fortreſs of *Breſt*; for tho the Earl of *Saliſbury* had lately been there, yet when he had very well ſupplied the Place with Men, Archers, Artillery and Victuals, he took Shipping again, and coaſted along the Country to ſee if happily he might find out the *Frenchmen* that were expected to invade *England* by Sea; but ſoon after his Departure, the Conſtable came and ſat down before *Breſt*, wherein at that time was Sir *Robert Knolles* himſelf, and Sir

Le Conquet *is taken, and the Gariſon put to the Sword.*

On the Earl of Saliſbury*'s departure from* Breſt, *it is cloſely beſieged by the Conſtable.*

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Sir *William Neville*, with an hundred Men at Arms, and as many Archers, beſides the Inhabitants, who were all Loyal to their Lord the Duke, and well provided of all things: however here the Conſtable laid his Siege with more than Six thouſand fighting Men; but ſo ſoon as he had inveſted the Place, he ſent the Lord *de Cliſſon* with the reſt of the Army, to go and lay Siege to *La Roche ſur Ton* on the other ſide the *Loire*, which was then in *Engliſh* hands; and the Lord *de Cliſſon* having laid cloſe Siege to it, was joyn'd by ſeveral Noblemen from *Anjou* and *Poictou*, who carried it on with great Obſtinacy and Reſolution, the Duke of *Anjou* providing them all things neceſſary for that Undertaking.

The L. de Cliſſon *beſieges* Roche ſur Yon.

[1] In the mean while the Conſtable with the Earls of *Alenſon* and *Perigort*, lay before *Breſt*, but the Place being very ſtrong, and Sir *Robert Kolles* and Sir *William Neville*, two Experienced Commanders, being in it with a ſtrong Gariſon of above Four hundred Men, they gain'd as yet no conſiderable Advantage; wherefore the Conſtable, who was very ſubtile, in hopes to divert or diſtract Sir *Robert Knolles*, order'd a Detachment of Four hundred Men, Headed by ſeveral Lords of *Bretagne* and *Touraine*, to go and lay Siege to the Caſtle of *Derval*, which was Sir *Robert*'s own, being given unto him by Duke *John de Montfort*. But to let you ſee how powerful the *French* were at this time, [2] they had now laid Siege to Five ſeveral Places at once; the one before *Becherel*, the other before *Breſt*, a third before *Derval*, a fourth before *St. Saviour* in *Normandy*, and the fifth before *Roche ſur Yon*, in *Poictou*, which belonged to the Duke of *Lancaſter:* and to each of them were given many ſhrewd Aſſaults; but thoſe of *Roche ſur Yon*, who were furtheſt off from any Succour, were firſt oblig'd to a Compoſition; which was, That unleſs they ſhould be reliev'd within the ſpace of a Month, they would ſurrender the Place to the *French* King's Pleaſure.

[1] Id. ibid.

The Conſtable to diſtract Sir R.Knolles *ſends to beſiege his Caſtle of* Derval.

[2] Id. c. 315.

The French *beſiege no leſs than five Places at once.*

At the end of the time limited, the Lord *de Cliſſon* return'd thither with his Troops; and no Aſſiſtance being come, or likely to come to them, the Caſtle was given up according to the Agreement, and the *Engliſhmen* were ſafely convey'd to *Bourdeaux* by the Lord *de Pons*. After this Succeſs, the Lord *Cliſſon* went to reinforce the Siege before *Derval*, carrying along with him his great Engines; and thither alſo ſhortly after the Conſtable himſelf, with the Duke of *Bourbon*, the Earls of *Alenſon* and *Perche*, and a great many other Barons and Knights of *France*, came from *Breſt*; for they found that they did but loſe their time in lying before that Place: however they had left behind them Two thouſand Men, who, having raiſed a Fort in the way to it, ſo blocked up the Town, that there was no coming in or going out of it.

Roche ſur Yon *is ſurrender'd on Conditions.*

The Conſtable raiſes the Siege of Breſt.

But [3] to proceed with the Siege of *Derval*. So ſoon as Sir *Hugh Bright* and the Gariſon of that Place ſaw themſelves beſieged by ſo great an Army, they very much doubted that they ſhould not be able to make good the Place; and that if it ſhould be taken, they ſhould be all put to the Sword; therefore they enter'd into a Treaty with the *French*, whereby they obtain'd a Truce for Two Months, on Condition, That in caſe they were not relieved within that time, either by the Duke of *Bretagne*, or ſome other able to keep the Field againſt the *French*, and to raiſe the Siege, they would ſurrender the Caſtle

[3] Id. ib.

The Governour of Derval *capitulates with the* French *to ſurrender, if not relieved within two Months.*

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to the Duke of *Anjou* or the Conſtable; and for the true keeping of theſe Articles, Sir *Hugh Bright* was not only ſworn, but alſo gave them two Knights and an Eſquire for Hoſtages; and ſo things continued in that ſtate for a time.

[z] Id. ib.
The City of Nantes *refuſes to admit the Conſtable but on Conditions.*

Then [z] the Conſtable roſe from this Siege, and marched with his Forces to *Nantes*; but that being the chief City of *Bretagne*, would not permit the Conſtable and his Men to enter it, but upon certain Conditions, which were to this Effect: That ſince he came thither as Lieutenant-General to the King of *France*, they would not abſolutely deny him Entrance, provided that upon the Return of their Lord the Duke, he ſhould own the *French* Intereſt, and that then all the Prelates, Barons, Gentlemen, and Towns of *Bretagne* would acknowledge Him for their Liege Lord, as they had done before; and that they of *Nantes* ſhould not ſuffer any damage for what they had lately done: And in the mean while the Rents and Revenues belonging to that Dutchy, ſhould remain in their hands. The Conſtable, being willing to gain ſo Important a City, preſently ſwore, as the King of *France*'s Procurator, to whatſoever they required of him; and upon this he was received into the City.

[a] Id. ibid.

Sir R. Knolles *quits* Breſt *on Conditions, and goes to relieve* Derval.

Whilſt theſe [a] Affairs were thus tranſacting, and Sir *Robert Knolles* (who was ſtill in *Breſt*) underſtood that Sir *Hugh Bright* had made ſuch a Compoſition with the Conſtable and the Duke of *Anjou*, as has been already related, he was much concerned; and ſeeing, that unleſs he quitted that Place for a time, he could by no means ſave his Caſtle, he reſolved therefore to enter into a Treaty, and make ſome Conditions with the Conſtable for that purpoſe; and having ſent to him about it whilſt he lay before *Nantes*, he gave his Commanders that beſieged *Breſt* Power to agree with Sir *Robert* on this Condition, That the Gariſon ſhould have a Truce for forty Days; and if by that time they were not relieved by an able Army to fight the Conſtable, they ſhould then forthwith ſurrender the Caſtle, but the Gariſon was to remain in the mean while (as now they were) without Revictualling, or taking in any new Supplies of Men or Ammunition, or any other ſort of Proviſion: and for this Agreement Sir *R. Knolles* ſent certain Knights and Eſquires to the Conſtable as Hoſtages, to ſecure him that there ſhould be no Default on his part. After which Sir *Robert* taking with him ſome Brave Men at Arms, went to his Caſtle of *Derval*, hoping ſtill to defend it againſt the *French*: but upon the Conſtable's having thus rais'd the Siege, he ſent thoſe Troops that lay before *Breſt*, together with the reſt that were under his own Command, to reinforce the Gariſons in *Picardy*: For the Duke of *Lancaſter* being then made the King his Father's Lieutenant of *Aquitain*, and General of all his Forces on that ſide the Sea, was newly arriv'd at *Calais* with a great Army; of whoſe Succeſs We ſhall ſpeak by and by.

The Conſtable having rais'd the Siege of Breſt, *ſends his Forces againſt the D. of* Lancaſter.

[b] Id. ibid.
The E. of Saliſbury *ſails to relieve* Breſt.

In [b] the mean while, the Earl of *Saliſbury* was at Sea cruiſing with his Fleet about the Coaſts of *Normandy* and *Bretagne*; and having received a powerful Reinforcement from *England* of above Three thouſand Landmen, when he heard of the Compoſition the Gariſon of *Breſt* had made, he immediatly ſail'd thither to relieve it; and landing his Men, drew them up before the Place in Battel Array, and this he did for ſeveral days together, offering the *French* Battel if they ſhould think fit to attack him: but finding that neither the Conſtable nor any other

He offers to give the Conſtable Battel before Breſt.

Which he puts off by a cunning Excuſe.

other *French* Commander durſt come thither to meet him, when the Forty Days Truce was near expir'd, he ſent a Herald to the Conſtable to let him know, That ſince he had made Articles with the Gariſon of *Breſt*, that unleſs the Caſtle was reliev'd by ſuch a Day, it was then to be ſurrender'd to him; therefore the Earl of *Saliſbury* and the reſt of the *Engliſh* Lords were come to *Breſt* within the time prefixed, had relieved it, and were ready to defend the Place, and now expected to meet Him there with his Forces, in order to give them Battel; and if he refus'd, they deſired then their Hoſtages ſhould be return'd, ſince the Articles had been truly perform'd on the *Engliſh* ſide. To which Meſſage the Conſtable return'd an Anſwer more full of *French Fineſſe* than of true Honour and Plain-dealing; for he bid the Herald tell thoſe that had ſent him, That he was as deſirous to fight as they could be, but *Breſt* was not the Place where the Treaty was confirm'd; and therefore if they would march to him, they ſhould find that he would not fail to give them Battel.

The Earl again offers to fight the Conſtable, provided he would furniſh his Men with Horſes, which he refuſes.

The Earl reinforces Breſt, *and then goes again on Board; whereupon the Conſtable commits the Hoſtages cloſe Priſoners.*

This [1] Meſſage the Politick Conſtable ſent, becauſe he knew that there were near forty Leagues between *Breſt* and *Nantes*, where he then was, and that it was morally impoſſible for them to march ſo far thro an Enemy's Country: however upon the Receipt of this Meſſage, the Earl of *Saliſbury* return'd another by the ſame Herald, wherein he let the Conſtable know, That the Men he had with him, belonging to the Marine Service, had no Horſes, and could not march ſo far on foot; but if the Conſtable would pleaſe to furniſh them with Horſes, he ſhould endeavour to meet him, and give him Battel too, whenever he ſhould appoint. But to this the Conſtable thought not fit to return any other Anſwer, than, That he was not bound to provide them Horſes; and aſked what Security they could give him, that the Horſes (if lent) ſhould be ſafely return'd? To which the Herald not being able to give any Anſwer, only demanded the Return of the Hoſtages; and this being refuſed by the Conſtable, the Meſſenger went back to thoſe that had ſent him. At laſt, the forty Days being expir'd without any Battel offer'd on the *French* ſide, the Earl enter'd *Breſt*, and victualled the Town, and reinforced the Gariſon; after which he return'd on Board his Ships to guard the Sea Coaſts, as he had been commanded by King *Edward*: whereupon the Conſtable pretending that the late Agreement was not truly kept, ſince the Earl of *Saliſbury* had newly reinforced and victualled the Gariſon of *Breſt*, he committed the Hoſtages cloſe Priſoners.

The D. of Anjou *ſends to Sir* R. Knolles *to ſurrender the Caſtle of* Derval, *ſince it was not relieved by an Army.*

But [2] tho this Proceeding of the Conſtable might ſeem very ſevere, it was far leſs cruel than what was not long after uſed towards thoſe Hoſtages that had been deliver'd at *Derval* upon much the ſame Conditions: for when Sir *Robert Knolles* was return'd to his Caſtle, and had reinforced the Gariſon (as hath been already related) and that the Duke of *Anjou* found, that ſince the Duke of *Lancaſter*'s Arrival in *France*, he could not ſpare ſo many Men as were requiſite to take in that Place by Force; he therefore ſent to Sir *Robert Knolles* to let him know, That ſeeing the time of the Truce was expired, and that the Gariſon in *Derval* had not as yet been relieved by any Forces ſufficient to raiſe the Siege, he expected to have the Caſtle ſurrender'd. To this Meſſage Sir *Robert Knolles* return'd in Anſwer by the Herald that

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[1] Id. ib.

[2] Id. ib.

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that brought it, That it was not in the power of the Deputy-Governour of that Place to make any Compoſition concerning the Delivery of what was not his own, nor would he be bound by it. To which the Duke ſent back the Herald again, with this further Meſſage, That the Agreement was, That They of the Gariſon ſhould not receive any freſh Men or Proviſions into it, within the time prefixed; yet notwithſtanding this they had admitted him Sir *R. Knolles* into it, with a freſh Supply both of Men and Proviſions, which being contrary to the ſaid Agreement, if he did not immediately ſurrender the Place, the Hoſtages ſhould loſe their Heads. At which Reply Sir *Robert* being much incenſed, bid them do their worſt, and if the Duke put any of his Men to death, he would do the like by as many of his; but for all that, the Duke in a Paſſion, immediately executed the Hoſtages; and in Revenge Sir *Robert* cauſed Three *French* Gentlemen Priſoners, of the ſame Quality, to be beheaded on a ſmall Scaffold at a Window of the Hall, and their Heads to be flung into the Caſtle-Ditch in ſight of the Beſiegers: upon which the Duke of *Anjou*, not being able to proſecute the Siege, roſe from thence, and return'd to *Paris* to the King his Brother; but the Conſtable, the Lord *de Cliſſon*, and the reſt of the *French* Noblemen were then gone towards *Troyes* in *Champagne*, to obſerve the Motions of the *Engliſh* Army, which now was marching under the Conduct of the Duke of *Lancaſter* towards *Auxerre*.

Which being refuſed, the D. puts the Hoſtages to death; and Sir Robert *revenges it, by beheading three* French *Priſoners.*

The D. of Lancaſter *is made the King's Lieutenant in* France, *with a great Power.*
* Rot. Franc. 47 E. 3. m. 18.

[1] Froiſ. c.311. *He ſails over to* Calais *with a great Army, and paſſes thro the Heart of* France *into* Guienne, *without any reſiſtance.*

But it is now high time to give you an Account of the Expedition that this Valiant Prince made this Summer thro *France*; for he had lately been appointed by the *King's Letters Patents, dated the Twelfth of *June*, by the Title of King of *Caſtile* and *Leon*, and Duke of *Lancaſter*, his Majeſty's Lieutenant in *Aquitain*, with full Power to reduce and take under his Protection all Cities, Towns and Caſtles that ſhould return to their Duty; and to pardon all Treaſons and other Offences, and perform all other things, in as ample a manner as the King Himſelf. So that being inveſted with this Great Power, [1] he went on Board accompanied with the Duke of *Bretagne*, and many Earls and Barons of Note, with an Army of above Thirty thouſand Men, whereof Three thouſand were Men at Arms, and Ten thouſand Archers, and took Shipping at *Dover*, and landed at *Calais* the Four and twentieth of *July*; where after ſome ſhort ſtay to refreſh his Men, he marched with this Army, divided into three Columns or Bodies, thro the Countries of *Artois*, *Picardy*, *Champagne*, *Foreſt*, *Auvergne* and *Limoſin*, and ſo into *Guienne*; in which Expedition, tho they ſpoiled thoſe Provinces, and did a great deal of Miſchief, yet ſince they only marched thro the Country without making any Conqueſts, they did themſelves more Prejudice by the great Loſs of Men and Horſes, than they could do their Enemies; and the *French* thinking it their ſafeſt way rather to avoid than reſiſt the preſent Storm, would not come to any ſet Battel with them, for the Prudent and Cautious King *Charles* had given expreſs Commands againſt it.

[2] Id. ib.

And thus the [2] *Engliſh* Army paſſed through *Picardy*, *Champagne* and other Provinces by the *Loire*, without coming to any Battel or general Engagement, more than ſome ſmall Rencounters and Skirmiſhes with various Succeſs, until they arrived at *Bourdeaux*; and what happen'd very remarkable in their March, was, That the Pope ſent again into *France* two Legates to treat of Peace between the two Crowns; but tho theſe Prelates took a great deal of Pains in riding to and fro between the *French* King and the *Engliſh* Duke, yet it was all to no purpoſe: the Demands of the latter on behalf of his Nephew being ſo high, and the Offers of the former too mean and low to come to any Accommodation, tho *Froiſart* erroneouſly ſuppoſes, that they made a ſhort Truce for ſome Months, in order to another Treaty. And thus the Duke paſſed thro the very Heart of *France*, burning and ſpoiling the Country as he marched, without any conſiderable Oppoſition, or ſitting down to beſiege any City or Walled Town: ſo that tho this Expedition ſeem'd very glorious for the *Engliſh*, yet it was of more Fame than true Profit or Advantage to their Affairs; for they loſt a great many Men, and almoſt all their Horſes in ſo long a March, partly thro the Diſeaſes incident to Camps, but chiefly for want of Forage and Proviſions, the *French* having taken care to carry all the Corn and Provender they could into the Walled Towns before the *Engliſh* could arrive; beſides the *French* Army under the Command of the Duke of *Anjou* and the Conſtable of *France* marching in the Rear of their Enemies, ſo watched their motions, that they durſt not ſtraggle far from their main Body for fear of being ſlain, or taken Priſoners.

At laſt the Duke of *Lancaſter* arrived at *Bourdeaux*, together with the Duke of *Bretagne*, about the beginning of *November*, where he lay ſtill with his Forces all the Winter; and when Spring came on, they were ſo weakned, that they were not able to perform any great matter, as you will find hereafter. But before we proceed further, give me leave to obſerve the evil management of this Expedition; for had King *Edward* been able to ſet out a numerous and powerful Fleet, He might have ſent his Army into *Gaſcoigne* in half the time they marched by Land, and that with nothing near that hazard in the Loſs of Men and Horſes; ſo certain it is, That whatever King of *England* intends to do any thing conſiderable abroad, He muſt firſt make himſelf Maſter at Sea.

N. B.

Summons to a Parliament.

* Rot. Clauſ. 47 E. 3. m. 13. dorſ.

But it is now time to look back into *England*, where during the Duke of *Lancaſter*'s March thro *France*, the King his Father * ſummon'd a Parliament to meet on the morrow of St. *Edmund* the King, or Twenty firſt of *November*, which was this Year on Monday. In the Writs of Summons to the Sheriffs were theſe unuſual Clauſes of being enjoined to cauſe to be choſen two dubbed Knights, or the moſt worthy honeſt and diſcreet Eſquires of the County, and the moſt expert in Feats of Arms, and no others; and of every City of that County two Citizens, and of every Burgh two Burgeſſes of the moſt diſcreet and ſufficient, who had the greateſt skill in Shipping and Merchandizing.

What Knights, Eſquires, Citizens and Burgeſſes were to be choſen.

† Rot. Parl. 47 Ed. 3. n. 2.

The Cauſe of Summons declared.

The Peace broken by the French.

† The King, Prince, Prelates, Earls, Barons, Great Men and Commons being aſſembled in the Painted Chamber, Sir *John Knivet* then Lord Chancellor, declared the Cauſe of Summons, telling the Lords and Commons, They knew well that after the Peace between the King and his Adverſaries of *France* apparently broken by them, the King had many times ſent great numbers of Men at Arms, and others over Sea to recover his Rights, and to reſtrain the Malice of his Enemies; and lately had ſent his Son the King of *Caſtile* and *Leon*, and

Duke

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that brought it, That it was not in the power of the Deputy-Governour of that Place to make any Compoſition concerning the Delivery of what was not his own, nor would he be bound by it. To which the Duke ſent back the Herald again, with this further Meſſage, That the Agreement was, That They of the Gariſon ſhould not receive any freſh Men or Proviſions into it, within the time prefixed; yet notwithſtanding this they had admitted him Sir *R. Knolles* into it, with a freſh Supply both of Men and Proviſions, which being contrary to the ſaid Agreement, if he did not immediately ſurrender the Place, the Hoſtages ſhould loſe their Heads. At which Reply Sir *Robert* being much incenſed, bid them do their worſt, and if the Duke put any of his Men to death, he would do the like by as many of his; but for all that, the Duke in a Paſſion, immediately executed the Hoſtages; and in Revenge Sir *Robert* cauſed Three *French* Gentlemen Priſoners, of the ſame Quality, to be beheaded on a ſmall Scaffold at a Window of the Hall, and their Heads to be flung into the Caſtle-Ditch in ſight of the Beſiegers: upon which the Duke of *Anjou*, not being able to proſecute the Siege, roſe from thence, and return'd to *Paris* to the King his Brother; but the Conſtable, the Lord *de Cliſſon*, and the reſt of the *French* Noblemen were then gone towards *Troyes* in *Champagne*, to obſerve the Motions of the *Engliſh* Army, which now was marching under the Conduct of the Duke of *Lancaſter* towards *Auxerre*.

Which being refuſed, the D. puts the Hoſtages to death; and Sir Robert *revenges it, by beheading three* French *Priſoners.*

The D. of Lancaſter *is made the King's Lieutenant in* France, *with a great Power.*

* Rot. Franc. 47 E. 3. m. 18.

But it is now high time to give you an Account of the Expedition that this Valiant Prince made this Summer thro *France*; for he had lately been appointed by the * King's Letters Patents, dated the Twelfth of *June*, by the Title of King of *Caſtile* and *Leon*, and Duke of *Lancaſter*, his Majeſty's Lieutenant in *Aquitain*, with full Power to reduce and take under his Protection all Cities, Towns and Caſtles that ſhould return to their Duty; and to pardon all Treaſons and other Offences, and perform all other things, in as ample a manner as the King Himſelf. So that being inveſted with this Great Power, [1] he went on Board accompanied with the Duke of *Bretagne*, and many Earls and Barons of Note, with an Army of above Thirty thouſand Men, whereof Three thouſand were Men at Arms, and Ten thouſand Archers, and took Shipping at *Dover*, and landed at *Calais* the Four and twentieth of *July*; where after ſome ſhort ſtay to refreſh his Men, he marched with this Army, divided into three Columns or Bodies, thro the Countries of *Artois*, *Picardy*, *Champagne*, *Foreſt*, *Auvergne* and *Limoſin*, and ſo into *Guienne*; in which Expedition, tho they ſpoiled thoſe Provinces, and did a great deal of Miſchief, yet ſince they only marched thro the Country without making any Conqueſts, they did themſelves more Prejudice by the great Loſs of Men and Horſes, than they could do their Enemies; and the *French* thinking it their ſafeſt way rather to avoid than reſiſt the preſent Storm, would not come to any ſet Battel with them, for the Prudent and Cautious King *Charles* had given expreſs Commands againſt it.

[1] Froiſ. c.311. *He ſails over to* Calais *with a great Army, and paſſes thro the Heart of* France *into* Guienne, *without any reſiſtance.*

And thus the [2] *Engliſh* Army paſſed through *Picardy*, *Champagne* and other Provinces by the *Loire*, without coming to any Battel or general Engagement, more than ſome ſmall Rencounters and Skirmiſhes with various Succeſs, until they arrived at *Bourdeaux*; and what happen'd very remarkable in their March, was, That the Pope

[2] Id. ib.

ſent again into *France* two Legates to treat of Peace between the two Crowns; but tho theſe Prelates took a great deal of Pains in riding to and fro between the *French* King and the *Engliſh* Duke, yet it was all to no purpoſe: the Demands of the latter on behalf of his Nephew being ſo high, and the Offers of the former too mean and low to come to any Accommodation, tho *Froiſart* erroneouſly ſuppoſes, that they made a ſhort Truce for ſome Months, in order to another Treaty. And thus the Duke paſſed thro the very Heart of *France*, burning and ſpoiling the Country as he marched, without any conſiderable Oppoſition, or ſitting down to beſiege any City or Walled Town: ſo that tho this Expedition ſeem'd very glorious for the *Engliſh*, yet it was of more Fame than true Profit or Advantage to their Affairs; for they loſt a great many Men, and almoſt all their Horſes in ſo long a March, partly thro the Diſeaſes incident to Camps, but chiefly for want of Forage and Proviſions, the *French* having taken care to carry all the Corn and Provender they could into the Walled Towns before the *Engliſh* could arrive; beſides the *French* Army under the Command of the Duke of *Anjou* and the Conſtable of *France* marching in the Rear of their Enemies, ſo watched their motions, that they durſt not ſtraggle far from their main Body for fear of being ſlain, or taken Priſoners.

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What Knights, Eſquires, Citizens and Burgeſſes were to be choſen.

† The King, Prince, Prelates, Earls, Barons, Great Men and Commons being aſſembled in the Painted Chamber, Sir *John Knivet* then Lord Chancellor, declared the Cauſe of Summons, telling the Lords and Commons, They knew well that after the Peace between the King and his Adverſaries of *France* apparently broken by them, the King had many times ſent great numbers of Men at Arms, and others over Sea to recover his Rights, and to reſtrain the Malice of his Enemies; and lately had ſent his Son the King of *Caſtile* and *Leon*, and

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The Cauſe of Summons declared.

The Peace broken by the French.

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Duke of *Lancaſter*, with many Great Men, and others to oppoſe the Malice of his Adverſaries, who by their good and noble Conduct and Feats of Arms, had done great Damages and Deſtructions to his Enemies, as they well knew, to the high Honour, Quiet and Tranquillity of the King, the Clergy, and others of the Kingdom: That the Sum granted the laſt Parliament to the King in aid of his Wars, tho great and heavy upon the People, yet He expended a great Sum of his own more than that. Further, that the Great Men and others, who ventur'd their Lives and Fortunes to defend them from their Enemies, ought to be well refreſh'd and comforted with Force and Aid, and that as ſpeedily as might be, as was well known to many of them to be neceſſary, who had been in the ſame condition themſelves; and that alſo their Enemy of *France* made himſelf as ſtrong as He could, not only by his own People and Allies, but by Strangers of divers Countries, and by all the ways He could both by Land and Sea.

* Ib. n. 4.

* Wherefore (he ſaid) the King beſeeched and charged them, conſidering the Perils and Damages that might happen to the Kingdom and all the People for theſe Cauſes, that they would ſpeedily conſult upon the matter, and give the King ſuch Advice, as might be for the Safety of Him, the Kingdom, and themſelves.

† Ibid.
The King willeth that all Buſineſs remain in ſuſpence till his was diſpatch'd.

And † further ſaid, that ſince the buſineſs required ſpeedy diſpatch, the King would that all manner of Petitions, and other particular Buſineſs might remain in ſuſpence, until this had a good Iſſue. And then, commanding the Commons to conſider and give good Counſel and Advice upon the Points aboveſaid, told them they might depart for that day, and come thither again on the morrow.

† Ib. n. 5.
The Commons deſire a Committee of Lords to treat with them.

At which time ſome of the Commons, in the name of the reſt, went to the Lords, and prayed they might have ſome Biſhops, Earls and Barons, with whom they might treat and confer, for the better iſſue of the Matter enjoin'd them; and deſired that the Biſhops of *London*, *Winchester*, and *Bath* and *Wells*, the Earls of *Arundel*, *Marche* and *Saliſbury*, and the Lords *Guy Brian* and *Henry le Scrope* might come; and it was agreed they ſhould go to the Commons, and treat with them in the Chamberlain's Chamber: And there deliberation between the Great Men and Commons being had until Tueſday the Eve of St. *Andrew*, the King, Prince, Prelates, Great Men and Commons then being all in the *White Chamber*, the Commons granted the King an Aid for the Wars againſt his Enemies, and deliver'd a Schedule thereof to the King, which was read, and begins thus; *The Lords and Commons of* England *have granted to the King in this preſent Parliament a Fifteenth*, &c. The effect of the Grant was, two Fifteenths to be levied in two Years, according to the antient manner, to be paid at the Feaſts of the Purification and *Pentecoſt*: If the War ended the firſt Year, the ſecond Fifteenth not to be paid as yet. Alſo ſix Pence upon every Pound value of Merchandize going out of the Kingdom, except upon Wools, Leather, Wool-fells and Wine, *&c.* and of every Tun of Wine, two Shillings for two Years, upon the ſame Condition. Likewiſe the Subſidy of Wool to be received after *Michaelmas* next coming, without condition for the firſt Year, and under the ſame condition for the ſecond. Theſe were granted on condition that no other Charge or Impoſition might be laid upon the People of

The Grant of a Tax.

As alſo a great Impoſt on Wines, &c.

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England for thoſe two years; and the Commons further pray'd, that what was granted might be ſpent in maintaining the War; and that no Knights of Shires, or Eſquires, Citizens and Burgeſſes returned for this Parliament, might be Collectors for this Tax.

[a] O. Raynold. ad hunc An.

The Pope ſends Letters to the 2 Kings to make Peace and join againſt the common Enemies of Chriſtendom.

I ſhall conclude this Year with an Account of ſome Eccleſiaſtical Affairs abroad. [a] In the beginning of *January*, Pope *Gregory* had ſent his Letters to the Kings of *England* and *France*, to deſire them to conſider how much their late Wars and mutual Diſcords hinder'd the Recovery of the *Holy Land*, and what great advantage it gave their common Enemies, the Infidels, over the Chriſtians, which might bring grievous Troubles, and an irreparable Loſs upon all Chriſtian Kings, their Kingdoms and People: Wherefore He (the Pope) not being able any longer to bear theſe Wars and Diſcords, and conſidering how frequently his Predeceſſors had by their Cardinal Legates uſed their utmoſt endeavours to promote Peace, if it could not be now brought about according to his deſires, He did not intend any longer to delay, but forthwith to proceed, without any favour, againſt that Party (of the two) that ſhould appear to be the Occaſion thereof, and all their Favourers, Counſellors and Aſſiſtants whatſoever, by Eccleſiaſtical Cenſures and other Remedies. This was dated at *Avignon* 3 *Non. Jan. An. Pontif.* 2.

He alſo ſends two Cardinal Legates about the ſame Affair; but to no purpoſe.

But the Rancour of theſe Princes Minds at that time, and the difficulty of adjuſting Affairs to both their Satisfactions, were too great and inſuperable then to admit of any Agreement between them; and tho the Pope had ſent two Cardinal Legates, who ſpared no pains in this Affair, during the time of the Duke of *Lancaſter*'s march thro *France*, and all things tending to a deſperate War; yet recalling them, He again ſent two other Legates to try what they could do. Theſe pious Prelates took much pains in riding to and fro, between the *French* King and his Brethren on the one part, and the Duke of *Lancaſter* on the other, but all to no purpoſe; for the Duke marched on thro the midſt of *France* (as you have already heard) without taking any great notice of their Admonitions; nor were they much more hearken'd to on the other Side: And indeed it ſeem'd wholly impracticable to propoſe any terms of Peace, that could ſeem equal to both Parties, where one expected a Reſtitution of all that had been violently taken from Him, and the other was reſolved to part with nothing He could keep.

[b] T. W.

As [b] for Church Affairs tranſacted in *England*, they were not many, only King *Edward* now ſent Ambaſſadors to the Pope, to deſire Him for the future to deſiſt from making Proviſions or Reſervations of Benefices in his Court, and that the Clergy might enjoy their antient manner of electing Biſhops; and that being duly elected, they might be confirm'd by their own Metropolitans: for the Parliament had not long before enacted, that all Churches ſhould enjoy free Elections, and that the King ſhould not write Letters to the Pope againſt the Perſons ſo elected, but ſhould rather promote their Confirmation. But this Statute had no great effect.

This Year alſo deceaſed *John Thoresby*, Arch-Biſhop of *York*, a publick ſpirited Prelate, who beſides other Acts of Charity, gave great Sums toward the new-building the Choir of his own Cathedral, which was perform'd in that magnificent manner as it ſtands at this

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day. He was ſucceeded by *Alexander Neville*, one of a Noble Family, and Canon of that Church.

• Mezeray ad hunc An.

A ſtrange Frenzy that happen'd this Year in ſeveral Countries.

This Year there happen'd in • *Italy* and *France*, but eſpecially in the *Low-Countries*, a certain Maniack Paſſion or Frenzy, unknown to former Ages: for thoſe who were tormented therewith (which for the moſt part were the ordinary ſort of People) ſtript themſelves ſtark naked, put Garlands of Flowers on their Heads, and taking one another by the Hands, ran about the Streets, and into the Churches, dancing, ſinging, and turning round with ſuch vehemence, that they would often fall down to the Ground quite out of breath. This Agitation made them ſwell ſo prodigiouſly, that within an hour's time they would burſt, unleſs ſomebody took care to bind their Bellies about with ſtrong Swathing-bands. Thoſe who looked on them too earneſtly, were often tainted with the ſame Malady. This was thought to have come by ſome Diabolical Operation, and that Exorciſms did much prevail againſt it. The Vulgar call'd it St. *John's* Dance.

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[1] Froiſ. c.318.

This Year begins with nothing but freſh Loſſes the *Engliſh* ſuſtain'd in *France*; for the Duke of *Lancaſter* being it ſeems unable to take the Field, the [1] *French* King was before-hand with him; and tho He did not think it convenient then to fall upon the Duke, ſince a Treaty for a Truce was now by the Pope's Mediation ſet on foot between them; yet preſently after Eaſter the Duke of *Anjou* being at *Perigueux*, raiſed a great Army conſiſting of fifteen thouſand Foot-men, beſides a conſiderable number of *Genoueſe* Croſs-bows, and moſt part of the Barons and Knights of *Bretagne*, *Poictou*, *Anjou* and *Touraine*; with whom the Conſtable of *France* join'd, and ſeveral Lords of Lower *Gaſcoigne*, as the Lord *John* of *Armagnac*, the Lords of *Albret* and *Perigort*, with other Barons and Noblemen of *Auvergne* and *Limoſin*.

The Duke of Anjou *marches into the higher* Gaſcoigne.

With this great Army the Duke of *Anjou* marched towards the higher *Gaſcoigne*, which then ſtood out, and would not acknowledg either the Kings of *France* or *England* for their Sovereigns; and firſt He beſieg'd *Mont de Marſan*, which having took, he proceeded to *St. Silvier*, whereof an Abbot was Lord; who, tho the Town was ſtrong, yet doubting he might loſe it by Force, fell to treat with the Duke, and remonſtrated to Him, that his Town and Caſtle being but a ſmall matter, might without any prejudice ſtand Neuter; but if the reſt of the Lords of *Gaſcoigne* ſhould be reduced by the Duke, he would alſo then yield to him, and do as they did.

He reduces ſeveral Towns, &c. to the Obedience of France.

To this the Duke agreed, receiving of the Abbot Hoſtages for his true performance, and ſo drew off from thence toward the Town of *Lourde* in *Bigorre*, to which he laid Siege, and then ſummon'd the Gariſon to yield; but the Governor of the Place utterly refus'd it, and boldly ſaid, that ſince the Earl of *Foix* had deliver'd it to his care, he was reſolved by no means to reſign it up into the hands of any other Perſon living. With which Anſwer the Conſtable and the Duke of *Anjou* were ſo nettl'd, that they commanded a General Aſſault to be made; ſo that at laſt the Place was carried by Force, and the Captain and moſt of his men ſlain, and the Town given up to the Plunder of the Soldiers. And then paſſing thro the Lands belonging to *Chaſtel-bon* and *Chaſtel-neuf*, which they ſpoil'd and pillag'd, they marched on towards *Bearn*, and enter'd the Lands of the Lord of *Leſcut*, from whence

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whence they marched till they came before the ſtrong Town of *Sauc*, which alſo held of the Count of *Foix*; but this was not eaſily to be won, beſides it had within a valiant Governor named Sir *William de Ponts*.

[2] When the Earl of *Foix* heard the *French*-men had conquer'd ſo much of his Lands, which he muſt have held either of the King of *France* or the King of *England* (tho indeed he would have yielded Obedience to neither) he ſent for the Viſcount of *Chaſtelbon*, the Lords of *Marſan*, *Chaſtel-neuf* and *Leſcut*, with the Abbot of *St. Silvier*, to conſult what was to be done in this dangerous Conjuncture, who when they all met, agreed to ſend for Letters of Safe-Conduct for them, which having obtain'd, they went immediately to the Duke of *Anjou*, who ſtill lay before *Sauc*, where at laſt they came to this Concluſion with him, that the Earl with the reſt ſhould enjoy a Truce for themſelves and their Territories, till the middle of *Auguſt* next enſuing, by which time there were to be very numerous Forces before the Town of *Monſac*, both of the *French* and *Engliſh*; and then if the *Engliſh* Army could keep the Field, all the Lords would hold their Lands of the King of *England*; but if the *French* Army ſhould become Maſters of it, either by Battel, or non-appearance of the Enemy, then they would hold their Lands of the King of *France* for ever. For the faithful performance of which Agreement the Earl of *Foix* and other Lords gave ſufficient Hoſtages to the Duke of *Anjou*, who then return'd to *Perigueux*, but would not for all that diſband his Army.

[2] Id. ib. *The E. of* Foix *conſults with the Barons of that County, who agree to a Truce with the Duke.*

[3] In the mean while the Duke of *Lancaſter*'s Forces not being in a condition either to march or fight, or elſe the Duke of *Anjou* had found work for them other ways (as you have already heard) the Pope laid hold on this opportunity to propoſe a Truce between the two Kings, which at laſt was fully agreed upon to be faithfully obſerved by them, their Vaſſals and Aſſiſtants, from the tenth day of *April*, until the laſt of *Auguſt*; the two Dukes further engaging to be preſent on the Marches of *Picardy* about the beginning of *September*, in order to prolong the ſaid Truce; the Duke of *Lancaſter* to be at *Calais*, and the Duke of *Anjou* at *St. Omers*. The Truce being thus agreed to and confirm'd, the Duke of *Lancaſter*, with the Duke of *Bretagne*, the Earls of *Warwick*, *Suffolk* and *Stafford*, and divers other Lords and Knights both of *England* and *Gaſcoigne*, went on board at *Bourdeaux* about the beginning of *July*, and ſet ſail for *England*, where they ſafely arrived a few days after.

[3] Id. ibid. *The D. of* Lancaſter*'s Forces not being in a condition to fight, the Pope mediates a Truce between the two Kings.*

The Dukes of Lancaſter *and* Bretagne, *&c. return to* England.

But the *Engliſh* Intereſt ſuffer'd greatly by this Truce; [4] for whilſt it was tranſacting, and not quite finiſhed, Sir *John Cornwal*, Governor of *Becherel*, who had kept that Fortreſs a full Year againſt the *French* that beſieged it, finding that no care was taken for his Relief, and that their Victuals were almoſt ſpent, He and the Gariſon reſolv'd to capitulate with their Enemies before it was too late; upon which the Lords of *Bretagne* and *Normandy*, who carried on the Siege, came (by the *French* King's conſent) to this Agreement with the Beſieged, That if the Duke of *Bretagne*, or ſome other Nobleman from *England*, did not appear with Forces ſtrong enough to keep the Field, between that and the Feaſt of *All Saints* next coming, they would then ſurrender the Place, but their Lives and Goods were to be ſafe;

[4] Id. c. 320. *The* Engliſh *Intereſt ſuffers by this Truce.*

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the Reſult of which was, that none appearing there for the *Engliſh* by the time limited and prefix'd, the Commanders within the Caſtle deliver'd it up to the *French*, and ſo return'd for *England*.

The D. of Anjou *marches into* Gaſcoigne, *and forces the Earl of* Foix *and the other Lords to ſubmit.*

And [4] this was not the only ill effect of the late Truce with the *French*, who did not think they were obliged to obſerve it, when it was for their advantage to break it; for when the middle of *Auguſt* drew near, which was the time limited for the Deciſion of the Sovereignty of the Higher *Gaſcoigne*, to be made before *Monſac*, the Duke of *Anjou* drew down thither a great Army, and with his men kept the Field before the Place ſix days together, all which time no Army appeared from King *Edward*, becauſe the *Engliſh* thought, that by reaſon of the Truce lately agreed on between the Dukes of *Anjou* and *Lancaſter* (which was to continue to the laſt of *Auguſt*) the Deſign of *Monſac* was to be given over; but the Duke of *Anjou* and his Council were it ſeems of another mind, and reſolved to take all Advantages they could, without troubling their heads with the nice Diſtinctions of Honour, Faith or Juſtice. So when that Duke ſaw the Feaſt of our Lady's Aſſumption was paſt, without the appearance of any Army on the King of *England*'s behalf, he ſent to the Earl of *Foix*, the Viſcount of *Chaſtel-bon*, with the other Lords of higher *Gaſcoigne*, to let them know, that if they did not now ſtand to their late Agreement, he would forthwith put all their Hoſtages to death, and after that enter their Lands with ſuch a Power as ſhould oblige them to ſubmit whether they would or not. Hereupon, ſeeing the *Engliſh* had taken no care of them, they provided for themſelves, and freely yielded themſelves and their Lands to the Obedience and Sovereignty of the *French* King, and the Inhabitants of *Monſac* did immediately open their Gates, and receive the *French* without any diſturbance. The Duke having ſtaid here ſome days to refreſh his men, and the Month of *Auguſt* being paſt, without hearing any thing of the Duke of *Lancaſter*'s coming over to renew the Truce, which was now expired, he reſolved to begin the War again on the other ſide of *Gaſcoigne*, and thereupon marched with his Army before *la Reole*, which after three days Siege was ſurrender'd to him, the Inhabitants returning to the Obedience of the *French* King. After that the Duke took in *Langon*, *St. Macare*, *Condouſe*, and ſeveral other Towns and Caſtles to the number of forty in all, the laſt being the ſtrong Town of *Auberoche* in *Perigort*; in all which he placed good Gariſons. And thus in a ſhort time all *Gaſcoigne* and *Guienne*, except *Baionne* and *Bourdeaux*, with ſome ſmall Territories about them, were either conquer'd or revolted from the *Engliſh*. The Duke of *Anjou* and the Conſtable being ſent for by the *French* King, gave leave to their men to go whither they would, and they themſelves returned to *Paris*.

The People of Monſac *open their Gates to the D. of* Anjou.

The D. of Anjou *renews the War on the other ſide of* Gaſcoigne, *and takes* la Reole, *&c.*

All [5] the Succeſs I can find the *Engliſh* had this Year, was, that Sir *Hugh de Chaſtillon*, Maſter of the Croſs-bows of *France*, and Governor of *Abbeville*, marching out one morning with three hundred Lances; and having *Valeran*, the young Earl of *St. Paul*, in his company, rode forth toward *Ardres* to ſee if he could meet, and take any Party of the *Engliſh* that might be out for Plunder or Forage; and hearing that the Lord *Comegines* Governor of that Town, was then abroad with a Party (tho their number was not known) the

French

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[4] Id. ib.

[5] Id. ibid.

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French reſolved to lay an Ambuſh for the *Engliſh* of three hundred Lances, hoping to draw them into it: and the Earl of *St. Paul* was order'd with a hundred Horſe to find out the Enemy, and entice them to that Place. The *Engliſh* likewiſe had the ſame deſign in their heads; for Sir *John Harleſton*, Captain of *Guiſnes*, was ſent forth before the reſt to ſee if he could find out the *French*, and lighting luckily upon the young Earl of *St. Paul* and his men, they immediately perſu'd the *Engliſh*, who fled before them till they came to a Hedg, behind which the Lord *Comeginer* with his Archers were drawn up, who received the *French* ſo warmly with their Arrows, being aſſaulted alſo at the ſame time in the Rear by Sir *John Harleſton*, they were all either kill'd or taken Priſoners, tho this muſt be ſaid, that they behaved themſelves very gallantly. Amongſt theſe were the Earls of *St. Paul*, the Lords of *Ponts* and *Clarty*, beſides divers other Knights and Perſons of Quality. Immediately after this Defeat Sir *Hugh de Chaſtillon* came to the Place with his three hundred Lances, but finding the buſineſs over, and fearing the like Misfortune might befal him, he wheel'd off without ſtriking a ſtroke; but the Earl of *St. Paul* himſelf being redeem'd by the Lord *Comegines*, was carried over into *England*, and preſented to King *Edward*, where he continued for a long time Priſoner, until in the beginning of the next Reign he fell in love with, and married the Half-Siſter of King *Richard* the Second; yet this could not ingage him to be a Friend to the *Engliſh* Intereſt, as you will find hereafter.

The E. of St. Paul *going out to entice the* Engliſh *into an Ambuſh, is himſelf taken Priſoner with his men.*

And is ſent over into England.

When [1] the Duke of *Anjou* and the Conſtable were return'd (as we have already ſaid) to *Paris*, the beginning of Winter, they there found the Arch-Biſhop of *Ravenna*, and the Biſhop of *Carpentras*, who had been long with the King, making inſtant and continued Application to Him on the Pope's behalf, as other Legates at the ſame time did with King *Edward* for the ſame purpoſe; wherefore according to the former Agreement between the Dukes of *Anjou* and *Lancaſter*, both the Kings were now again obliged to enter into a Negotiation, thereby (if poſſible) to accommodate all Differences betwen them in order to a final Peace.

[1] Id. c. 320.

A Negotiation for a Peace is again ſet on foot by the Pope's Legates.

But tho [2] *Froiſſart*, as well as moſt other *French* Hiſtorians (except *Mezeray* in his Chronological Abridgment) relate this Tranſaction under this preſent Year, and conſequently the Truce that was afterwards made to have begun from about Autumn this Year, and to have ended in *May* following, yet it is certainly a Miſtake in thoſe Authors; for all our Hiſtorians, as well printed as in Manuſcript, together with the [3] Records of this Treaty, agree that the * Commiſſion iſſued out by both Kings to their Plenipotentiaries, does not bear date till the Spring or Summer following, and conſequently their going over could not be until after that time: Not but that the Pope's Legates being the Mediators might this Winter prevail with the Kings of *France* and *England* to ſend their Commiſſioners to *Bruges* the Summer following, as you will find they did; and there might alſo be a Ceſſation of Arms during this Winter and Spring following, in all Places except in *Bretagne*, whither (as [4] *Froiſſart* relates) the Lords *de Cliſſon* and *de la Valle* marched with their Forces to fight that Duke, becauſe this ſhort Truce did not extend to that Dutchy; therefore I ſhall defer the further Relation of that Tranſaction until the enſuing Year.

[2] C. 321.

Froiſſart *and the* French *Hiſtorians miſtaken in the time of this Treaty.*

[3] Rot. Franc. 49 Ed. 3. m. 2.

* *Note the* French *King's Commiſſion is dated* March 1. 1374. *that of* England June 8. 49 *of* Ed. 3.

[4] Id ib.

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Little done in England *after the Duke of* Lancaſter's *Return.*

England in the mean time affords little worth our noting; for the Tax given the laſt Parliament being now all ſpent in the Duke of *Lancaſter's* late fruitleſs Expedition, the Burden of it lay ſtill ſo heavy upon the Nation, that it was not thought fit this Year to call a new Parliament for the giving of any more; nor do I find the Duke of *Lancaſter* did any thing conſiderable after his Return into *England.*

Alice Pierce *taken into favour, and made the King's Miſtreſs, with her Cavalcade thro* London.

However, notwithſtanding the publick Miſfortunes there was as much outward Jollity and Magnificence as ever was known before; for this Summer a certain Gentlewoman of no great Quality, called by our Hiſtorians *Alice Perreys* or *Peirce*, did by her Beauty and other Artifices ſo much prevail upon the aged King, as to be his Miſtriſs; and having lately given her the affected [1] Title of *Lady of the Sun*, She, being richly attir'd, rode alone in a Chariot from the Tower of *London* thro *Cheapſide*, accompany'd with many Lords, Knights and Ladies, every Lady leading a Lord or a Knight by his Horſe's Bridle, till they came into *Weſt-Smithfield*, where began a ſolemn Juſting or Tourneament between divers of our young *Engliſh* Noblemen. But we ſhall hear more of this Lady, and her intermedling in publick Affairs, before the end of this Reign; therefore we will now come to ſomewhat more ſerious.

The King iſſues a Commiſſion of Enquiry into the Value of Eccleſiaſtical Benefices held by Strangers.

Which is printed at large in Fox's Acts and Monuments, *&c. p.* 560. 1 *Edit.*

This Year affords ſome Eccleſiaſtical Matters of moment. The King being alarm'd afreſh by the Complaints of his Subjects againſt the *Reſervations* and *Proviſions* of Benefices practis'd by the Pope; and of which tho He had the laſt Year complain'd by his Ambaſſadors, as you have already heard, yet could He obtain no Remedy; therefore to prevent this for the future, his Majeſty now iſſued forth a Commiſſion of Enquiry directed to all the Biſhops of *England*, commanding them to return an exact Survey of all Benefices and Dignities Eccleſiaſtical throughout his Dominions, which were then in the hands of *Italians*, *French*-men and other Aliens, with a true valuation of the ſame; as alſo to know the Names of all and ſingular of thoſe, whether *Engliſh* or *Strangers*, who had the Poſſeſſion or Diſpoſal of any ſuch Benefices, or the Profits of them, and whether they were reſident upon them; and to return a true Certificate of the ſame into his Court of Chancery under their reſpective Seals, before the Feaſt of our Lord's Aſcenſion next coming. This was dated at *Weſtminſter* the ſixteenth of *April* in the forty eighth Year of his Reign.

Upon the Commiſſioners Return the King ſends certain Envoys to treat with the Pope's Legates about it.

By [2] virtue of this Writ or Commiſſion, Certificates were accordingly ſent up into the Chancery out of every Dioceſs in *England*, of all ſuch ſpiritual Livings as were then in the Poſſeſſion either of Priors Aliens, or of other Strangers, whereof the number is ſaid to have been ſo great, that it took up many Sheets of Paper. Wherefore it ſeemed high time for the King to ſeek a Remedy in that caſe, either by Treaty with the Pope, or otherwiſe; conſidering what a vaſt proportion of the Revenues of his Realm, was by this means yearly convey'd out of it, being either imploy'd for the Relief of his Enemies, or at leaſt of ſuch, who were neither his Subjects, nor true to his Intereſt. Shortly [3] after the Return of the ſaid Certificates, the King ſent *John* Biſhop of *Bangor*, Mr. *John Wickliff* Reader of the Divinity-Lecture at *Oxford*, Mr. *John Guttern* Dean of *Segovia*, with divers other Civilians, as his Envoys, to treat with the Pope's Legates beyond Sea, and to make a full Relation to him of all the matters that

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[1] Stow's Survey, p. 421.

[2] Id. ib.

[3] Fox ib.

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that were to be tranſacted at the ſaid Meeting; to the end, that all thoſe things which might tend to the Honour of Holy Church, and the Advancement of his Crown, might by the Aſſiſtance of God, and the Wiſdom of the Apoſtolick See, be accompliſh'd and brought to good effect. This bears date at *London* the ſix and twentieth of *July* in the ſame Year.

Theſe [1] Commiſſioners were met at *Bruges* about the beginning of *Auguſt* by the Pope's Nuncios, *viz.* *Bernard* alias *Benedict* Biſhop of *Pampelone*, *Rodulph* Biſhop of *Senigaglia*, and *Giles Sancho* Provoſt of the Church of *Valenza*; who were likewiſe commiſſion'd to treat concerning the Liberties of the Church of *England*, and of the Prelates and other Eccleſiaſtical Perſons of the ſaid Realm: But the Treaty [2] about this Affair was continued at ſeveral times for near two Years; and at laſt it was concluded, that for the future the Pope ſhould deſiſt from making uſe of any Reſervations of Benefices, and that the King ſhould no more confer them by his Writ of *Quare impedit*. But as to the Elections of Biſhops, concerning which Ambaſſadors had been ſent to the Court of *Rome* the Year before, there was nothing mention'd in this Treaty; the Reaſon whereof was aſcribed to the politick dealing of ſome, who knew they could more eaſily attain to Eccleſiaſtical Dignities, which they aim'd at, by the favour of the Court of *Rome*, than by due regular Elections; that is, rather by Mony and Intereſt, than by any true Worth and Merit of their own.

This Year alſo [3] *William Wittleſey* Arch-Biſhop of *Canterbury* departing this Life on the fifth of *July*, the Monks of *Chriſt Church* preſently after his Deceaſe elected for Arch-Biſhop Cardinal *Eaſton*, who tho an *Engliſh-man* by Birth, yet having lived all his time in the Pope's Court, and become a perfect *Italian*, their Choice was ſo highly diſpleaſing to the King, that He threaten'd to baniſh them out of the Kingdom for it. Whereupon the Pope to appeaſe Him, and make Him reconcil'd to the Monks, declared their Election void; and then by way of Proviſion beſtow'd the Arch-Biſhoprick on *Simon Tibalds*, alias *de Sudbury*, Biſhop of *London*, being a Perſon of great Wiſdom and Eloquence; yet theſe Endowments could not hinder his being murder'd by the Rabble under the Leading of *Wat Tyler* and *Jack Straw*, as you will find in the beginning of the next Reign.

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So [4] ſoon as the Seaſon would permit this Year, the Campagne was begun on the *French* ſide (as they had done the laſt) with the Siege of *St. Saviour le Vicount* in *Contantine*, and that by the ſame *Norman* Lords that had before beſieged *Becherel*; ſo that when the Gariſon found themſelves hard put to it by their Engines, and that they were cloſely beſieged both by Sea and Land, fearing that they ſhould not be able long to hold out, they enter'd into a Treaty with the *French*, and in ſhort obtain'd a Truce to endure till Eaſter next enſuing, on condition that unleſs within that term the *French* ſhould be fought with, and the Siege raiſed, they ſhould then yield up the Fort, but with the Safety of their Lives and Goods: So the *French* Army lay ſtill near the Place, but committed nothing of Hoſtility all that time.

[5] While the *French* thus laid ſiege to *St. Saviour le Vicount*, the Duke of *Bretagne* now in *England*, ſollicited the King his Father-in-law for ſome Aſſiſtance to recover his Dominions, which the King, being ſenſible that the Duke had loſt them for adhering to his Intereſt, readily granted;

[1] O. Raynold. ad hunc An. *Who meet at* Bruges.

[2] T. W. *The Concluſion of this Treaty between the Pope and the King.*

[3] Id. ib. *The Deceaſe of* W. Wittleſey *Arch-Biſhop of* Canterbury, *ſucceeded by* S. Sudbury *Bp of* London.

[4] Froiſ. c.322. *The Gariſon of* St. Saviour le Vicount *agrees to ſurrender, if not reliev'd by a time prefix'd.*

[5] Id. ib. *The D. of* Bretagne *obtains Aſſiſtance of men.*

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‘ Dug. Baron. Vol. 2. p. 154.

They land in Bretagne, *and take ſeveral Towns and Caſtles.*

granted; and ‘ conſtituting him his Lieutenant General in *Bretagne*, join'd his Son *Edmund* Earl of *Cambridg* in Commiſſion with him. Then a powerful Fleet being alſo got ready, the Duke and the Earl his Brother-in-law, attended by the Earls of *Warwick*, *Stafford*, and divers Barons of note, having had publick Prayers made for their good Succeſs, went on Shipboard at *Southampton* in the beginning of the Spring, and there found three thouſand Archers and two thouſand Men at Arms ready to go along with him. With theſe Forces the Duke arrived ſafe at the Port of *St. Matthew du Fine Poterne* in *Bretagne*, where he landed, and forthwith began to aſſault the Caſtle, which ſtood without the Town, not very well fortified at that time either with Men or Ammunition; ſo that the *Engliſh* ſoon carried it by force, and put every Man of the Gariſon to the Sword: but thoſe within the Town being warn'd by this ſevere Example, preſently open'd the Gates, and received the Duke. From hence the *Engliſh* marched to *St. Paul de Leon*, which, tho it was ſtrongly fortified, was taken by Storm, and plunder'd, and the *French* Gariſon likewiſe put to the Sword; and from thence they paſſed on, taking Towns and Caſtles, till they came to *St. Brieux de Vaulx*, which was well furniſhed with all things neceſſary; for the Lords *Cliſſon* and *Beaumanoir*, the Viſcount of *Rohan*, and other Lords of *Bretagne*, had been there but a little before, and recruited the Place; yet the Duke reſolved to take it, either by Siege or Aſſault.

' Id. c. 322.

The Viſcount of Rohan *and the Lord* de Cliſſon *beſiege Sir* John Devereux *in the* New Fort.

Till he is reliev'd by the D. of Bretagne.

In ' the mean while the Viſcount of *Rohan* and the Lord of *Beaumanoir*, who lay not far off, obſerving the Duke's Motions, heard that Sir *John Devereux* being near *Quimperlay*, made great Devaſtations, and had newly repair'd and fortified a ſmall Place, which he called *New Fort*, where he kept a Gariſon to the terror of the whole Country; ſo that the Inhabitants of the Town laſt mention'd durſt ſcarce ſtir out of their Gates for fear of being taken. Upon this the Noblemen laſt mention'd, ſent to the Lord *de Cliſſon*, who was then at *Lambale*, about five Leagues from *St. Brieux*, to deſire him to join his Forces with theirs, to take in that Place that gave them ſo much diſturbance, which he immediately put in execution; ſo that the *New Fort* being cloſely beſieged by them, was very near being taken; which the Duke of *Bretagne* hearing of, and not finding the Place he beſieged ſo eaſy to be gained, he immediatly marched away to the relief of the *New Fort*, which being juſt ready to be taken by a Mine, the Lord *de Cliſſon* upon the News of the Duke's approach preſently marched off to *Quimperlay* with all his Forces.

' Ib. ib.

He then beſieges thoſe Noblemen in Quimperlay.

The ' Duke having thus reſcu'd Sir *John Devereux*, preſently marched forward, and laid Siege to the Place laſt mention'd, which was carried on with ſo much vigour and reſolution, that the Lord *de Cliſſon* and the reſt of the Noblemen with him, finding no Succour like to come from *France*, and not having reaſon to expect much Mercy from the Duke, if the Place was taken by Storm, fell to treat with him, and offer'd to ſurrender the Place, and themſelves, provided they might be put to a moderate Ranſom for their Liberties: but the Duke thinking it below him to capitulate with his own Subjects, refus'd the Offer, and would have them abſolutely ſubmit to his Mercy; but they not accepting of that, all they could obtain of him, was, a Truce for eight days, during which time, if not relieved, they were to ſurrender;

der;

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der; but before the time was expired, there happen'd an Affair that ſaved the Place, and all thoſe that were in it, and ſhews us how fatal a thing it is in War not to lay hold on the preſent opportunity; [1] for a few days after two *Engliſh* Knights were ſent thither from the Duke of *Lancaſter*, then at *Bruges*, enjoining the Duke of *Bretagne*, and all the *Engliſh* Commanders, in the King of *England*'s Name, to forbear all further Acts of Hoſtility; foraſmuch as there was a Truce then concluded between the Kings of *England* and *France*, and all their Friends and Allies: authentick Copies of which Articles were brought into the *Engliſh* Camp by thoſe Knights abovemention'd.

[1] Froiſ. ib.

But for the better underſtanding of this Tranſaction, we muſt look a little back to the beginning of this Summer, [2] when the Kings of *England* and *France* (by the Mediation of the Pope's Legates, the Arch-Biſhop of *Ravenna* and the Biſhop of *Carpentras*) appointed certain Commiſſioners under their Great Seals, to treat of a final Peace, as had been agreed the laſt Year. Thoſe for King *Edward* were, *John* Duke of *Lancaſter*, *William Mountagu* Earl of *Salisbury*, *Simon Sudbury* then Biſhop of *London*, the Lord *John Cobham* of *Kent*, with divers other Lords, Knights and Civilians. The [3] Commiſſioners on the *French* ſide were the Dukes of *Anjou* and *Burgundy*, the Earl of *Salebruce*, and the Biſhops of *Amiens* and *Bayeux*, with divers others needleſs to be here recited.

[2] Rot. Franc. 49 Ed. 3. m. 2.

[3] Froiſ. ib.

[4] Then in order to this Treaty, the Duke of *Anjou* came to *St. Omers* in great State, where he ſtaid ſome time, until the Arrival of the Duke of *Lancaſter*, and the reſt of the Commiſſioners, who came to *Bruges* for the ſame purpoſe. In the mean while, the Duke of *Anjou* ſent for his Couſin the Lord *Guy* of *Blois* to come to him, and aſſiſt him with his Advice; and the Conſtable of *France* and the Lord *de Cliſſon* were order'd to lie on the Borders between *France* and *Flanders*, with ſufficient Forces to obſerve the Motions of the Earl of that Province, of whom they were jealous leſt he ſhould do ſomething to the prejudice of the *French* Intereſt, and that might diſturb the Treaty; for he being a faſt Friend to the Duke of *Bretagne* his Couſin, who was like to be injur'd by it, would not come to *Bruges*, notwithſtanding all the Commiſſioners on either ſide could remonſtrate to him.

[4] Id. ibid.

But it is time to return to the Treaty it ſelf, in which the *French* now proved as much too hard for the *Engliſh*, as they had been lately in War: for the Demands of both Princes being very high, and not like to be abated on either ſide, and the Duke of *Bretagne*'s Concerns being alſo not eaſily accommodated, according to his own and the King his Father-in-law's Deſires, all that could be then done was, to patch up a temporary Truce for ſomewhat more than a Year, being to begin on the twenty ſeventh of *June*, and was to end on the firſt of *July* 1376. the Articles of which were to this effect, as follows.

I. All [5] taking of Perſons, Fortreſſes, and other Places, all Pillaging, Robberies, Burnings, and all other Acts of War, thro all the Realms, Lands and Dominions of one Party, and the other, to ceaſe during the Truce. Neither Party to ſuffer any Subjects or

[5] Rot.Franc.ib.

Anno Dom. 1375. Allies of the other to change their Obedience, Subjection or Alliance.

II. All Subjects of either Party to remain in the Countries of the other without Arms, and trade and diſpatch all other Buſineſs there without diſturbance; but not to enter into Caſtles, Fortreſſes or fortified Towns without Licence.

III. All Priſoners taken to be releaſ'd.

IV. No new Forts to be erected by either Party.

V. None of the Subjects or Allies of one Party to do injury to the Subjects or Allies of the other, or their Friends, by way of Company, Robbery, or otherwiſe; if they did, to puniſh them ſo ſoon as it came to the knowledg of their Lords, without any requeſt for that purpoſe.

VI. All Attempts and Injuries to be redreſs'd without delay.

VII. If the Lands of either Party were invaded by the *Companions*, upon requeſt they were to aſſiſt each other in freeing their Countries of them.

VIII. None to demoliſh the Houſes of either one Party or the other, nor deſtroy the Fruit Trees.

IX. If any evil Action, Attempt, or Enterprize happen, it ſhould not be a breach of the Truce, nor ſhould War be made thereupon. This Truce was ſealed by the Dukes and Pope's Nuncios at *Bruges* on the ſeven and twentieth of *June* 1375.

Ibid. There were beſides theſe certain Mutations, Declarations and Modifications made by way of Supplement in reference to this Truce, by the Pope's Nuncios of the ſame Date; as namely,

1. That *Henry* King of *Caſtile* (the Baſtard) and the Lands He held, ſhould be compriſed in the ſaid Truce.

2. That the Duke of *Bretagne* ſhould in like manner be compriſed in it.

3. That War ſhould ceaſe there, and the King of *England* and Duke ſhould remove their Forces out of the Dukedom without delay, during the Truce, all except two hundred men to guard the Towns and Places the Duke held there.

4. The two Kings were alſo to ſend Commiſſioners to *Bruges* by the fifteenth of *September* next coming, to treat of a perfect Peace.

The Reſidue of the Articles are of leſs moment, and therefore here omitted. Theſe were confirmed by *John* King of *Caſtile* and *Leon*, Duke of *Lancaſter*, with Proteſtation, that the Title of King of *France* given to King *Charles* Adverſary to his Father, nor the Title of King of *Caſtile* given to *Henry* his Adverſary, might in no wiſe prejudice either of them, or their Titles: and for the Obſervation of theſe Articles, the Earl of *Lancaſter* was ſworn on the behalf of King *Edward*, and the Duke of *Burgundy* for the King of *France*. This Treaty bears Date at *Bruges*, and was ſeal'd by the Pope's Nuncio's, the two Dukes, and the reſt of the Commiſſioners, on the twenty ſeventh of *June* 1375.

Anno Dom. 1375.

Concerning which Treaty, I muſt here further ſubjoin, That notwithſtanding it now proved very diſadvantageous to the *Engliſh* Intereſt, and that King *Edward* was at great Expences to maintain his Ambaſſadors there, yet it was continued, tho not without ſome Interruptions, for near two Years together, and [1] the Truce was again prolonged for another Year; during all which time the *French* King prepar'd himſelf for War, by providing Men, Arms, and all other Neceſſaries for that purpoſe, but the like Preparations were carried on very remiſly during the ſame time in *England:* But We ſhall now quit the Civil Affairs, and return again to the Military.

The Truce was again prolonged for another Year.

When the Duke of *Bretagne* had received the Notice concerning this Truce, he was much diſpleas'd at the making of it, as he had reaſon, ſince it was to the ruin of his Affairs. [2] So that all he could then do, was, to go to the Caſtle of *Auray* to his Dutcheſs, and taking her along with him, he went from thence to *Calais*, and ſo paſſed over into *England* with his Lady, as you will find hereafter.

The Duke of Bretagne *goes to the Caſtle of* Auray, *and thence to* Calais.

Nor was this the only thing in which the *French* were too hard for the *Engliſh* in this Treaty; for tho by an Additional Article in it, it was provided, That during the ſaid Truce both Kings and their Allies ſhould hold and enjoy all Places which they had in their Poſſeſſion at the Concluſion of it, and that from this Clauſe the *Engliſh* ſuppoſed that *St. Saviour le Vicount* ſhould be ſecur'd to them during that time; yet the *French*, who were always good in picking holes in Treaties, reſolved, [3] That the Firſt Agreement concerning the Delivery of that Place ſhould be obſerved, which was to be ſurrendered, unleſs reſcued by Forces from *England*, by ſuch a time: therefore the *French* King ſent thither above Six thouſand Men, who coming before the Caſtle, and none appearing on behalf of the Gariſon, either to raiſe the Siege, or keep the Field, ſo ſoon as the time appointed was expired, they renew'd their Summons to ſurrender; and then the *Engliſh* Gariſon and Officers, being commanded by *Thomas Cathrington* their Governour, were by him forced to give up the Place againſt their Wills; and ſo marching out with their Baggage, were convey'd ſafe to *Carentan*, from whence they not long after ſail'd for *England*. But tho during this King's Reign *Cathrington* eſcaped being queſtioned for ſo meanly ſurrendring ſo Conſiderable a Place; yet in the beginning of the next he was accuſed of Treaſon for this Action, and thereupon challenged to a ſingle Combat by Sir *John Anneſly*, by whom he was vanquiſhed, as you will find hereafter. But to return to the preſent Affairs: Beſides this Breach of the Truce made by the *French* in taking *St. Saviour le Vicount*, after this manner, certain Ships of *England*, which had lately carried over into *Aquitain* the Lord *Thomas Felton*, Seneſchal of *Aquitain*, and Sir *William Elman* Governour of *Bayonne*, whom they had landed at *Bourdeaux*, being now return'd thence to *Le Baye* in *Bretagne*, were boarded by ſome Gallies, and taken on the Tenth of *Auguſt*, tho the late Truce extended unto the *Spaniards* alſo, as appears by the Articles: but of theſe Infractions we ſhall find Complaint made in Parliament the Year following, by the Owners of the ſaid Veſſels.

The French *notwithſtanding the Truce ſummon* St. Saviour le Vicount, *which is delivered to them thro the Cowardice of the Governour.*

Some Engliſh *Ships that carried over the* L. Tho. Felton *and Sir* Will. Elman *into* Aquitain, *are taken by ſome* Spaniſh *Gallies.*

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[1] Froiſ. ib.

[2] Id. ibid.

[3] Id. c. 323.

Anno Dom. 1375.

[a] T. W. Ypod. Neuſt. ad hunc An.

A Relation of the ſevere Impriſonment, Redemption and Death of John *Earl of* Pembroke.

† Rot. Eſcaet. 49 Ed. 3. n. 70.

[s] Leland. Itin. 4. Vol. MS. in Bibl. Bodl.

† Ad hunc An.

I muſt not here omit [a] the untimely Death of *John Haſtings* Earl of *Pembroke*, who having been taken Priſoner at Sea two Years ſince by the *Spaniards*, as you have already heard, and by them kept in a very ſevere Reſtraint, was ſo weary of it, that not being able then preſently to raiſe his Ranſom, he choſe rather to put himſelf into the hands of an Enemy of another Nation, and therefore ſent to the Conſtable *de Gueſclin* to beg his Aſſiſtance, and deſire that he would lay down his Ranſom for him, and take his Perſon for his Security: whereupon the Conſtable generouſly reſigning all the Lands that had been given him in *Caſtile*, and acquitting that King of divers great Sums that were due to him for his Service, he had the Earl's Perſon delivered up to him, and was for his Ranſom to pay no leſs than Twenty ſix thouſand *Florins*; which Sum certain Merchants of *Flanders* engaged on his behalf to pay at *Bruges*, upon the news of his Safe-delivery at *Calais*: but he never reached that Place, but whether poiſoned by the *Spaniards* before he left it (as was ſuſpected) or not, preſently after the Bargain of his Ranſom was made, he fell deſperatly ſick; and the Conſtable, fearing his Recovery, made haſt to have him convey'd from *Paris* to *Calais* in a Horſe-litter by eaſy Journeys; but before he reached that Place, he † expired by the way on the Sixteenth of *April* this Year; and his Body being brought over into *England*, was buried firſt in the Church of the *Friars-Preachers* at *Hereford*, and [s] afterwards was tranſlated to the *Grey-Friars* near *New-Gate*, now called *Chriſt-Church* in *London*. But I muſt here further obſerve, that as the *Monkiſh Writers* of this, as well as former Ages, never fail'd to impute the ill Succeſs of thoſe they did not love, to the Divine Vengeance, ſo they make the Defeat of this Nobleman at Sea, and his being taken Priſoner, to be the effect of the Wrath of St. *Ethelreda*, Patroneſs of the Church of *Ely*, for taking part againſt her in a Cauſe depending betwixt her Abby and that of St. *Edmunds-Bury*; and therefore they ſuppoſe that it was upon the Day dedicated to this Saint that he received his Overthrow. But certainly * *Walſingham* is miſtaken, in aſſigning his Death to be on the ſame Feſtival; whereas it appears by the Record above-cited in the Margin, to have happened on the Day already mention'd. But our Author rather attributes this Earl's ill Succeſs to his having led an Adulterous Life, as alſo becauſe he had in Parliament attempted an Infringement of the Church's Liberties, and perſuaded the King to lay heavier Taxes upon the Clergy than on the Layety, for the Support of his Wars. But I ſhall not lay all theſe Crimes to this Great Man's Charge, for the Reaſon already given.

Anno Dom. 1376.

|| Rot. Clauſ. 49 E. 3. m. 6. dorſ. Ib. m. 4. dorſ.

A Parliament ſummon'd.

† Rot. Parl. 50 Ed. 3. n. 2.

Sir J. Knivet *L. Chancellor ſets forth the cauſes of their Meeting.*

This Year begins with the || Writs of Summons, dated the Eight and twentieth of *September*, for a Parliament to meet on the Twelfth of *February*: afterwards, before it met, by Writs dated the Twentieth of *January*, the King thought fit to prorogue it to the Monday after the Feaſt of St. *George*, † but it ſat not till the next day; and then the Prelates, Dukes, Earls, Barons, and other Great Men, and Commons, Juſtices, Serjeants of the Law, and others, aſſembled in the Painted Chamber before the King, where Sir *John Knivet* then L. Chancellor declared the Cauſes of holding this Parliament; which were theſe, *viz.*

The Firſt and Principal was, To Adviſe about the Good Government, and Peace of the Realm of *England*.

The Second was, For the Defence and Safety of the Kingdom, as well by Sea as by Land.

The Third was to take Order for the Maintenance of the War with *France*, and elſewhere; and how, and in what manner it might be done for the beſt Profit, quickeſt Diſpatch, and greateſt Honour of the King and Kingdom.

And then he told them expreſly, That what the King always had done, was by their good Counſel and Aſſiſtance, for which His Majeſty entirely thanked them, and deſired they would diligently adviſe about theſe Matters; the Prelates and Lords by themſelves, and the Commons by themſelves; and give in their Good Anſwers as ſoon as they well could.

[1] The Commons upon this went to their accuſtomed Place, the Chapter-Houſe of the Abby of *Weſtminſter*, and the Prelates and Lords went by themſelves; and there were aſſigned in Parliament the Biſhops of *London*, *Norwich*, *Carliſle*, and *St. Davids*, with the Earls of *Marche*, *Warwick*, *Stafford* and *Suffolk*, the Lords *Piercy*, Sir *Guy de Brian*, Sir *Henry L'eſcrop*, and Sir *Richard Stafford*, to go to the Commons, and aſſiſt them in treating and conferring upon the things before declared: and then they agreed upon the Grant of a Subſidy, which begins as followeth.

“ The [2] Lords and Commons aſſembled in Parliament, having conſideration of the very Great Charges and Expences the King hath, and muſt be at, for the maintaining of his Wars, and his Noble Eſtate, granted Him the Subſidy of Wool, Leather, and Wool-fells, as it was granted Him in the Parliament holden at *Weſtminſter*, in the Forty ſeventh Year of his Reign, from the Feaſt of St. *Michael* next coming, when the Subſidy then granted ended, to the end of Three Years: And the Commons humbly pray the King to excuſe them, that they have given Him no other Subſidy or Aid for his Wars, for that they were brought ſo low, and ſo diſabled by the Peſtilence, the Murrain among their Beaſts, and Deſtruction of their Grain and other Fruits by bad Weather, that they could not do more at preſent; but promiſed if any extraordinary Caſe ſhould happen, they would Aid Him to the utmoſt of their Power, as they had done before, *beyond all the Commons of the World to their Liege Lord*.

After [3] this, the Commons conſidering the great Miſchiefs upon the Land, ſhew'd unto the King and Lords of Parliament, That it would be for his Honour and Profit, and alſo that of the whole Realm, which is grieved in divers manners by many Adverſities, as well as by the Wars of *France*, *Spain*, *Ireland*, *Guienne*, *Bretagne*, and otherwhere; ſo that the Officers about the King without other Aſſiſtance, were not ſufficient for ſo great Buſineſs; wherefore they pray that the King's Council may be inforced or augmented with ſome Lords, Prelates and others, to the number of Ten or Twelve, who ſhould be continually near the King, ſo as no Great Buſineſs might paſs without the Advice and Aſſent of Six, or Four of them at leaſt, as the Caſe required.

[1] Ib. n. 8.

The Lords and Commons conſult apart. Certain Biſhops and Peers appointed to go to the Commons to aſſiſt them.

[2] Ib. n. 9.

They at laſt agree to continue the Subſidy on Wool, &c.

[3] Ib. n. 10.

The Commons petition the K. that more Lords and Prelates ſhould be added to his Council.

Anno Dom. 1376.

[3] Ib.

quired. [3] The which Requeſt the King, underſtanding it was Honourable and very Profitable to Him and the whole Kingdom, readily granted; provided always that the Chancellor, Treaſurer, and Privy-Seal, and all other the King's Officers might execute their Offices without the Preſence of any the ſaid Counſellors; which the King was to aſſign from time to time of ſuch as He pleaſed, who were to be ſworn to keep this Ordinance, and to do Right to every one according to their Power, without receiving any Reward for ſo doing: [4] And, That none of the King's Officers ſhould receive any *Gifts*, *Fees* or *Rewards*, other than their Salaries, Liveries, and Travelling Charges.

[4] Ib. n. 11.

[5] Ib. n. 15.

The Commons ſet forth the late Miſmanagement of the King's Treaſure.

[5] The Commons then made *Proteſtation*, That they now were and always have been, and will be ready to Aid the King with their Bodies and Goods, to the utmoſt of their Power; yet they ſaid, that if the King had always had about Him Loyal Counſellors and Good Officers, He had been now rich in Treaſure, ſo that He ſhould not have needed ſo much to have charged his Subjects with Subſidies, Taillages or other ways, conſidering the great Sums of Gold which were brought into the Kingdom for the Ranſom of the Kings of *France* and *Scotland*, and other Priſoners. They alſo ſaid, It further ſeem'd to them, that for the particular Profit and Advantage of ſome private Perſons about the King, and their Confederates, the Realm was much impoveriſhed, and many of the Merchants undone; wherefore they thought it very profitable to the King and his whole Kingdom, to have all theſe things duly amended, ſo ſoon as might be. And farther the Commons promiſed the King, that if He would do Juſtice and ſpeedy Execution upon ſuch as ſhould be found culpable, and proceed with them as Law and Reaſon required, they would undertake He ſhould be ſo rich as to be able to maintain his Wars, and ſupport his other Affairs for a long time, without any great Charge to the Commons. And they ſaid moreover, That in doing this, He would do a thing meritorious and well-pleaſing to God, and much for the Encouragement of them who were willing to Aid Him according to their Power: and then propounded three eſpecial Points to be enquired into and amended.

And deſire that He would do Juſtice on ſuch Offenders.

[6] Ib. n. 16.

Three Points deſired to be amended, 1. *concerning the removal of the Staple from* Calais.

Firſt, [6] *Whereas the Staple of Wool, and other Staple Merchandiſes and Bullion, was lately Ordained in Parliament to be at* Calais, *and no where elſe, for the great Profit of the King and Kingdom, the Advantage and Amendment of the Town, for the Concourſe of Merchants, and their continual Reſidence there; the ſaid* Staple, Bullion *and Trade is removed from thence, and like to be loſt by the Procurement and Counſel of the ſaid particular Perſons about the King, and their Confederates, for their own Profit, to the great Damage and Prejudice of the King and his Realm, and Deſtruction of the Town of* Calais.

[7] Ib.

2. *Lending the King Mony on exceſſive Intereſt.*

Secondly, [7] *Whereas the King had need of divers Sums of Mony for his Wars and otherwiſe, ſome Perſons by Conſent and Contrivance of the ſaid particular Perſons about Him, made Agreement for divers Sums to the uſe of the King upon Uſury, taking more from Him for Intereſt than they bargained for, to the Deceit and grievous Damage of the King.*

Thirdly, [3] *Whereas the King was Debtor to divers People upon Record in great Sums, ſeveral had by Aſſent and Contrivance of the ſaid Perſons bargained with his Creditors for the Tenth, Twentieth, or Hundredth Penny, and procured the King to pay the whole Debt, in Deceit of the King and his Creditors, for the particular profit of themſelves and Confederates.*

[3] Ibid.

3. *Compounding the King's Debts at an under Rate, and then charging him with the whole Sum.*

Upon theſe, or ſome of theſe Articles, ſeveral were impeached by the Commons; firſt [4] *Richard Lyon*, Merchant of *London*, and Farmer of the King's Subſidy and Cuſtoms; he put himſelf upon the King's Grace, and ſubmitted his Body, Lands and Goods to the King's Pleaſure: * whereupon he was adjudged to be impriſoned during the King's Pleaſure, to loſe the Franchiſe of the City, never to bear Office under the King, nor approach his Council or Court. All his Goods and Chattels were ſeized into the King's hands, and Inquiry was made in all the Ports concerning his Extortions, ſince his being Farmer of the Cuſtoms.

[4] Ib. n. 17.

Richard Lyon *and others impeached by the Commons on theſe Articles.*

* Ib. n. 19.

The [5] Lord *Latimer* was accuſed by the Impeachment of the Commons, upon the ſame Heads and Articles with him, and as Confederate with *Lyon*, who tho he ſeem'd to make a good and ſatisfactory Defence, yet by the Prelates and Lords in full Parliament [6] he was adjudged to be impriſon'd, and make Fine and Ranſom at the Will of the King; and further upon the Petition of the Commons, the King granted that he ſhould never have Office under Him, or be of his Privy Council. However he was bailed by [7] Four Biſhops (the Archbiſhop of *York* being one) Three Earls, the Prior of St. *John* of *Jeruſalem*, and Twenty ſix Barons; with Promiſe, that during the Parliament he ſhould appear before the King and Lords, to anſwer further to the Articles of which he was accuſed.

[5] Ib. n. 21.

The L. Latimer *impeach'd as a Confederate with* R. Lyon.

[6] Ib. n. 28.

[7] Ib. n. 29.

[8] *William Ellys* of Great *Yarmouth* was alſo accuſed, by the Charge of the Commons, as Deputy-Farmer, to *Richard Lyon*, of the Subſidy of Six Pence in the Pound on all Merchandiſes granted to the King, of many Extortions in collecting them, and other evil Practices; and notwithſtanding his Anſwer, which might ſeem ſatisfactory and ſufficient to ſome, yet he was awarded to Priſon, and ordered to make Fine and Ranſom at the * King's Will, and to pay his Proſecutors ſeveral Sums of Mony for Injuries ſaid to be done to them.

[8] Ib. n. 31.

Will. Ellys *accuſed of Extortion in collecting the late Subſidy.*

* *That is, according to the Judgment given in the Court of* King's Bench.

[9] It is alſo there ſaid, that it diſpleaſed the King, that Women ſhould perſue and ſollicit Buſineſs in his Courts at *Weſtminſter*; and therefore He (upon the ſaid Common's Requeſt) forbad all Women (eſpecially *Alice Perers*) for the future to do it, upon pain of forfeiting whatever the ſaid *Alice* was worth, and to be baniſhed the Realm.

[9] Ib. n. 35.

Women are forbidden to meddle with any Buſineſs, &c.

During the Seſſion of this Parliament, † *Edward* Prince of *Wales*, the King's Edeſt Son, died on the Eighth of *June*, being *Trinity* Sunday: whereupon the Commons humbly pray'd the King, that for the great Comfort of the whole Kingdom, He would order the Noble Child or Youth, *Richard* of *Bourdeaux*, Son and Heir of *Edward* late Prince of *Wales*, to come into the Parliament, that the Lords and Commons might ſee and honour Him, as the true Heir apparent of the Realm; which Requeſt was granted: and at the ſame time, the Biſhops, Lord Temporal, and Commons applied to the King to make him Prince of *Wales*, which was done within a ſhort time after.

† Ib. n. 50.

The Death of Edward *Pr. of* Wales.

Anno Dom. 1376.

[1] Ib. n. 57. *The Commons petition about Juſtices of the Peace.*

[1] The Commons farther petition'd, That Juſtices of the Peace might be named in every County by the Lords and Knights of the ſaid County in Parliament, and ſworn before the King's Council, and not to be removed without Conſent of Parliament; and that they might be allowed Wages. The King's Anſwer was, They ſhould be named by Him and his continual Council; and as to Wages, He would conſider of it.

[2] Ib. n. 143. *The Mayor,* &c. *of* London *petition againſt Strangers ſelling Goods by Retail.*

[2] The Mayor, Aldermen, and Commons of *London*, ſhew'd unto the King how they were impoveriſhed and brought to nothing, by reaſon their *Franchiſes granted and confirm'd by Him and his Noble Progenitors*, were reſtrain'd, and in a great meaſure taken from them; and aſſign their chief Grievance to be, that any Stranger might have a Houſe and dwell in the City, be a Broker and buy and ſell any ſorts of Merchandiſes by Retail, and a Stranger ſell to Strangers, that they might again ſell the ſame Goods to Others, to the great raiſing the Price of Merchandiſes, and making them dear: whereas in time paſt no Strange Merchant uſed any of theſe Practices againſt the *Franchiſes* of the City, by which the Merchants of the City were much impoveriſhed, the Navy or Shipping much impaired, the private Tranſactions of the Nation diſcovered by thoſe Strangers to his Enemies, by Spies and others lodging in their Houſes: and then pray, it would pleaſe the King and his good Council, in Charity, to order in that Parliament, that Merchant Strangers ſhould be reſtrain'd in theſe Practices; and that the Mayor, Aldermen and Commons of the ſaid City, might enjoy their *Franchiſes*, notwithſtanding any *Statute* or *Ordinance* made to the contrary.

[3] Ibid. *The King conſents to it.*

[3] The King's Anſwer was, That upon Condition the City might be under good Government, to the Honour of Him and Profit of the Kingdom, then from thence forward no Stranger ſhould have a Houſe to be a Broker in, nor to ſell any Goods by Retail within the City or Suburbs, notwithſtanding any *Statute* or *Ordinance* to the contrary; **Saving** to the *German* Merchants of the *Hans-Towns*, their Franchiſes, granted and confirm'd to them by the King and his Progenitors. Then according to the purport and effect of this Anſwer, the Mayor, Aldermen and Citizens of *London* obtain'd the King's Letters Patents, dated the Fourth of *November* next following, of which I ſhall ſpeak more in another Place.

[4] Id. n. 164. *The Commons complain of great Riots.*

[4] Then the Commons petitioned the King, That whereas great Riots were committed in ſeveral Parts of the Nation by numbers of Armed Men, that thereſore the Sheriffs might raiſe the *Poſſe Comitatus* or Power of the County to ſuppreſs them; and that the Sheriffs and Juſtices of the Peace might inform the King's Council of ſuch Rebels as refuſed to go with them.

[5] Ibid.

[5] The Anſwer was, The King by the Advice of his Great Council would order Remedy, if need were; but in the mean time, let the Statutes concerning that matter be put in due Execution. Then this Parliament ended *July* the Sixth, in the Fiftieth Year of his Reign.

Theſe were the moſt remarkable Tranſactions in this buſy Parliament; and I have put down the Petitions of the Commons, that the Reader may ſee the Principal Grievances of that Time, and compare them with thoſe that have happen'd during the preſent Age.

I muſt not here omit to take notice of ſome things relating to this Parliament, which (tho not in our Records) are mention'd by * *Walſingham* and other Writers of that time, and do ſufficiently diſcover how far the King was then declin'd from that command of his Paſſions, which He had ſo well exerciſed in his younger Years. For *Alice Peirce* above-mention'd (whom our Authors call an impudent young Woman) was now grown ſo intimate with the King, as not only to be preſent in his Bed-Chamber, and there intermeddle with publick Affairs, but alſo to appear and ſit in the Courts of Judicature, both Civil and Eccleſiaſtical, and publickly defend thoſe Cauſes ſhe had undertaken to promote: and therefore for the great Scandal and Reproach it caſt upon the King and his Government in Foreign Countries, the Knights of Shires had particularly petitioned for her Removal from the King's Perſon; tho it ſeems this Petition had no great effect, for not long after the Diſſolution of this Parliament ſhe was again reſtored to the King's Favour, and to that degree, as to be revenged upon her Enemies: for ſhe procured Sir *Peter de la Mare*, a [a] Conſiderable Knight of *Herefordſhire* both for Prudence and Eloquence (but not Speaker of this Parliament, as *Walſingham* by a Miſtake relates) to be committed cloſe Priſoner to *Nottingham* Caſtle, where he lay till the beginning of the next Reign; and that for no other reaſon, but becauſe he had ſpoke too freely againſt this *Alice* in the late Parliament.

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* Ad hunc An. Chron. Eveſ.

The great Aſcendant that Alice Peirce *had over the King.*

Notwithſtanding the laſt Parliament's Petition againſt her, ſhe is reſtored to the King's Favour, and Sir Peter de la Mare, *who ſpoke againſt her, is committed cloſe Priſoner.*

I ſhall now add ſomething more than is mention'd in our Records concerning the Death and Burial of [a] *Edward* the *Black Prince*, whoſe Diſtemper originally was a Dropſy, yet it ended in a Burning Feaver, which took him off on the Eighth Day of *June*, in the Forty ſixth Year of his Age, to the great Loſs and Regret of the whole Nation, who deſired nothing more than that He might ſurvive his Father, and ſhew He could Govern as well as Obey. I need not ſay any more of this Worthy Prince, ſince his Character is ſufficiently ſet forth by his Great and Noble Atchievements, which You have ſo often met withal in this Hiſtory, ſo long as He was able to Act in Perſon either in Civil or Military Affairs: He left no other Iſſue Legitimate but his Son the Lord *Richard*, who was then about Ten Years of Age. But He, beſides his Father's Example, wanted his Precepts and Government to form his Mind to all thoſe Vertues his Father was Maſter of.

[a] Id. ib.

The Black Prince died of a Feaver.

As for the manner of his † Funeral, the Body of this Famous Warrier being Embalmed, lay in State, to be kept till *Michaelmas* following, that ſo it might be interr'd with the Greater Solemnity, in the Preſence of the Peers and Biſhops of the Kingdom; and accordingly at that time He was carry'd in a Stately Hearſe, drawn with 12 Horſes thro the City of *London*, and ſo went on till they came to *Canterbury*. He was buried with great Solemnity in that Cathedral, and, as He Himſelf had order'd in his Will, near the Shrine of *Thomas Becket*. Over his Grave was ſhortly after erected || a Stately Monument of Grey Marble, with his Portraicture lying thereon of Copper gilt, which is preſerved to this Day. And King *Charles* of *France*, tho He was his Enemy, yet as a Kinſman, perform'd his Obſequies in a moſt Noble manner in the [a] Chappel of his Palace at *Paris*, the greater part of his Prelates and Peers being preſent. As for King *Edward*, He lay'd the Loſs of his Son ſo much to Heart, that being worn out

† Froiſ. c. 324. Sandf. Gen. Hiſt. p. 188.

The Prince's Body buried in the Cathedral of Canterbury.

|| Vid. *the Fig. of it in* Sandf. Gen. Hiſt. ib.

[a] Froiſ. ib.

His Obſequies are ſolemnized by the King of France.

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with Grief and Age, He ſurvived Him but One Year and Thirteen Days.

[1] But to ſupply this great Loſs, on the twentieth of *November*, the King in compliance with the Petition of all the Eſtates in the late Parliament, did by his Letters Patents create his Grandſon, the Lord *Richard*, Prince of *Wales*, Duke of *Cornwall*, and Earl of *Cheſter* (as his Father had been before him) and thereupon He [2] declared to the Duke of *Lancaſter*, and to the reſt of his Sons, that Prince *Richard* was of Right to reign over them; and on *Chriſtmas*-Day following, the King dining in State, placed Him at the Table above all his Sons, to ſhew them that He deſign'd Him for his Succeſſor.

Another Meeting at Bruges *to treat of a Peace between the two Crowns.*

But to return to Foreign Affairs: [3] When the Feaſt of *All-Saints* drew near, which was the time appointed for another Aſſembly of moſt of the ſame Commiſſioners at *Bruges*, in order to prolong the Truce to a further time than that before-limited, or, if poſſible, rather to ſettle a laſting Peace; there came again thither for the *French* King the Duke of *Burgundy*, the Earl of *Salebruche*, and the Biſhop of *Amiens*; but the Duke of *Anjou* remained ſtill at *St. Omers*, tho for what reaſon I know not. And on King *Edward*'s part came the Dukes of *Lancaſter* and *Bretagne*, the Earl of *Saliſbury*, and *William Courtney* Biſhop of *London*; and then the Biſhops of *Ravenna* and of *Carpentras* the Pope's Legates, being Mediators, did what they could to perſwade both Parties to more Moderation; but it ſeems to no purpoſe, for they were ſtill very far aſunder in their Demands: for the *French* King requir'd no leſs than one Million and four hundred thouſand *Franks*, which had bin paid for the ranſom of the King his Father, to be reimburſed, and that *Calais* ſhould be ſurrender'd, or elſe raſed to the Ground; but the *Engliſh* Commiſſioners (as they had reaſon) utterly refus'd to conſent to either of theſe Demands. Whereupon the *French* Commiſſioners deſired leave from the [4] Legates, † that ſome of them might return to *Paris*, to give the King a more particular Account of what was demanded by the *Engliſh*, which was granted; and when they had ſhewn Him, that beſides thoſe Propoſals he had made, which were utterly refuſed, they ſtill inſiſted on an Abſolute Sovereignty over thoſe Territories, without paying any Homage to the Crown of *France* for the ſame, as had bin before granted to the King of *England* and his Heirs by the Treaty of *Bretigny*: I ſay, when the *French* King was informed of this, He ſummon'd a great Aſſembly of his Peers and Nobles, beſides many Doctors of Divinity and Law to *Paris*, and there, after a Great and Solemn Debate of the whole Matter, it was at length almoſt unanimouſly concluded on, That the King could not part with his Right of Sovereignty over thoſe Provinces, without great peril of his Soul, becauſe He was ſo manifeſtly ſworn to defend the Rights of his Kingdom.

The Pope's Legates again uſe their Mediation for a Peace, but to little purpoſe.

The French *Commiſſioners acquaint their King with the* Engliſh *Demands.*

When the Commiſſioners that had been ſent on this Meſſage were return'd to [5] *Bruges*, and had given this Account of the *French* King's Reſolutions, all hopes of a Peace quite vaniſhed; yet neverthele ſs by the earneſt Interceſſion of the Legates, the [6] Truce was prolong'd to the laſt day of *June* next to come, and was afterwards continued to the firſt of *April* the Year following; to give notice of which a [7] Proclamation was preſently after iſſued out by the King's Order: and

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[1] Mill's Catal. Hon. p. 315.

[2] Froiſ. c. 325.

[3] Id. ib.

[4] Fab. p. 258.

† *Note, this is miſplaced by this Author in* 1373, *when there was no ſuch Treaty on foot; but the Matter is true.*

[5] Id. ib.

[6] Rot. Fran. 50 Ed. 3. m. 16, 21.

[7] Rot. Clauſ. 50 E. 3. pars 1. m. 3.

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to prolong this Truce, the Commiſſioners on both ſides ſtay'd at *Bruges* all the enſuing Winter, and moſt part of the *Lent* following, living in great State, eſpecially the Dukes of *Lancaſter* and *Burgundy*; but in the Spring they all return'd to their reſpective Countries, except the Duke of *Bretagne*, who ſtay'd in *Flanders* with the Earl *Lewis* his Couſin, where he received a kind Entertainment for above a Year, till he return'd into *England*.

[1] Froiſ. c.326.

The Pope removes his Seat to Rome.

As for Eccleſiaſtical Affairs I find nothing worth noting; only this Year Pope *Gregory* XI. [1] hearing of the great Confuſions and Diſorders in *Italy*, (when He found He could not make a Peace between the Kings of *France* and *England*) removed his Seat from *Avignon* to *Rome*; to which Conſiderations were joined the Pious Exhortations of two reputed She-Saints, *Bridget* of *Sweden*, and *Catherine* of *Siena*: So * He left *Avignon* toward the middle of *September*, and after great dangers at Sea by Storms, &c. arrived at *Rome* in *January* following, where He was receiv'd with all the Pomp and Joy imaginable; and here the Court of *Rome* continued, until a freſh Schiſm in the *Romiſh* Church cauſed it to return to its former Seat at *Avignon* for divers Years enſuing.

* Odor. Rayn. ad hunc An. & Mezeray ad eund.

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King *Edward*, many Months before the Expiration of the late Truce, having had notice of a Deſign forming againſt Him by the King of *France* to invade *England*, and that he had made a freſh Alliance with *Caſtile* and *Scotland* for that purpoſe; to prevent this, and to make all neceſſary Preparations for a War, He had on the firſt of *December* laſt paſt [2] iſſued out Writs for a Parliament to meet on the *Quindene* of St. *Hilary*, or Seven and twentieth of *January* next coming at *Weſtminſter*; but the King being then indiſpoſed, it was held by Commiſſion to *Richard* Prince of *Wales*, who was about Ten Years of Age, the Biſhop of St. *Davids* being Chancellor. [3] Upon the Day of their Meeting, after a Speech in the nature of a Sermon, upon this Text, * *Ye ſuffer Fools gladly, ſeeing that Ye your ſelves are wiſe*; He thus apply'd it, That tho they were wiſe, yet He deſired thoſe to hear him, who were not ſo. Then he ſaid, That as a Meſſenger who bringeth Joyful News is welcome, ſo ought he to be now, ſince he brought them Joyful News of the King's happy Recovery from a dangerous Sickneſs (for now the King was ſomewhat better, tho He afterwards relapſed) Then after many Praiſes and Commendations given to the King, and the Happineſs He enjoy'd, not only in having ſo many Sons, but alſo in ſeeing his Children's Children, the Biſhop turning his Diſcourſe to the Lords, did let them know the King's Great Value for them, ſince at their Requeſt He had created the Lord *Richard* Prince of *Wales*.

[2] Rot. Clauſ. 50 Ed. 3. m. 6. dorſ.

A Parliament ſummon'd.

[3] Rot. Parl. 51 Ed. 3. m. 10, 11, 12, 13.

* 2 Cor. c. 11. v. 19.

And [4] then addreſſing himſelf both to the Lords and Commons he ſet forth, that the chief Cauſe of their Summons was for the defence of the Realm, for that the King having, at the requeſt of the Pope, agreed to a Treaty of Peace, there was a Truce made for a time, till a Peace might be concluded; but this Truce his Adverſary of *France* had broken, and was now preparing for War, and, by the aſſiſtance of *Spain*, *Scotland*, and other Enemies, to deſtroy the King, Kingdom and *Engliſh* Language: Therefore to obviate this Deſign, and prevent the Malice of his Enemies, and to maintain the Peace of the

[4] Ibid.

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Nation at home and abroad by their Counſel and Advice, as it was his chief Intention, ſo was it alſo to know how the Expence of the preſent War ſhould be provided for. But ſince it was not fit for a Biſhop to ſay any thing againſt the Pope, Sir *Robert de Aſheton*, Chamberlain to the King, was appointed to propound, how further *Proviſion* might be made againſt his Uſurpations, as ſhould by a Bill be ſhewed in this Parliament.

[2] Ib. n. 18. *The Commons conſult how to raiſe Mony.*

At the next Meeting of all the Eſtates in Parliamenr, [2] the Commons in the King's Name were directed to go to their accuſtom'd Place, the Chapter-Houſe of the Abby of *Weſtminſter*, there to treat and adviſe how a fitting Reſiſtance might be made againſt the Enemies of the Nation, for the Safety of the King, Kingdom, Navy and themſelves; and how Mony might be moſt ſpeedily raiſed to the leaſt Grievance of the People. Then the Prelates and Lords, after they had done treating about theſe Matters, agreed, that the Biſhops of *Lincoln*, *Chicheſter*, *Hereford* and *Salisbury*, the Earls of *Arundel*, *Warwick*, *Salisbury* and *Stafford*, the Lords *Piercy*, *Roos*, *Fitz-Walter* and *Baſſet*, ſhould go and confer with the Commons for their better direction and information.

[3] Ib. n. 19. *The Lords and Commons grant the King a Poll Tax.*

The [3] Reſult of theſe Conſultations was, that to maintain the King's Wars, and the great Charges He would be at for them, and the neceſſary Defence of the Kingdom, the Lords and Commons granted Him four Pence by way of Poll from every Perſon of the Kingdom, Male and Female, above fourteen Years of Age, except mere Beggars; and moſt humbly prayed their Liege Lord, that He would pleaſe to excuſe them that they could grant Him no greater Subſidy, being moſt willing to have done it; but that they were ſo impoveriſh'd of late by great Loſſes at Sea, and otherwiſe, that they were not able at preſent to do more.

[4] Ib. n. 20. *The Commons deſire two Earls and two Barons to be appointed Treaſurers for this Tax.*

And [4] the Commons prayed the King, that He would pleaſe to name two Earls and two Barons for his Treaſurers, as well of this Subſidy, as of that the Clergy was yet to grant, and alſo of the late Subſidy of Wool, Pells and Leather granted the laſt Parliament; and that they might be ſworn in their preſence, that what was received by them, ſhould wholy be expended upon the Wars, and not otherwiſe; and that the High Treaſurer of *England* ſhould receive nothing, or any ways meddle therein.

[5] Ib. n. 21. *But afterwards recede from it.*

But afterwards, [5] when they had conſidered what Sum the Wages of ſuch four Treaſurers would amount unto by the Year, the Commons departed from this Requeſt, and prayed that the High Treaſurer might be Receiver to the uſe of the War in manner accuſtom'd.

[6] Ib. n. 32. *They petition that the Charter lately granted to the City of* London *might be confirm'd in Parliament, which is granted.*

The [6] Commons in this Parliament further beſought the King, that the Charter lately granted (*November* the fourteenth, as above) in the Great Council, to the Mayor, Aldermen, and Commons of the City of *London*, upon the Article that no foreign Merchant ought to ſell to another ſtrange Merchant any Goods or Merchandize, to ſell again, in manner as in the ſaid Patent is more fully contained, might be renewed and granted, as well to other Cities and Burghs, as to them, with a Charter, or Clauſe of Confirmation; which, ſince it is not long, and is that by which none but Freemen have at this day a Right to keep Shops, or ſell Commodities by retail within the Liberties of the City, I ſhall here give you at large, tranſcribed from Dr. *Brady's* Copy, which is taken from the Parliament-Roll it ſelf, and is as follows.

Rot. Parl. 51 Ed. 3. n. 33. *The King's Charter to the City.*

“*E*Dward King of *England*, &c. to whom theſe preſent Letters ſhall come, greeting. Our Beloved and Faithful the Mayor, Aldermen, and the reſt of the Citizens of the City of *London*, by their Petition exhibited before Us and our Great Council, containing amongſt other things, that becauſe Strangers do freely ſell all ſorts of Merchandize whatſoever within the Liberty of the ſaid City, to be ſold again as the Citizens do; whereas the ſaid Strangers, according to the Liberty of the ſaid City antiently obtain'd, ought not, nor could ſo do; whereby as well the ſaid Citizens are much impoveriſh'd, and Goods and Merchandize become much dearer, *&c.* For relief of the Citizens, and common Profit of our People, under a grievous Forfeiture to Us, We do command, that they ſhall be reſtrain'd. And being favourably enclin'd to the ſaid Petition, We do further Will and Grant, that no Stranger within the Liberty of the City aforeſaid, ſhall ſell any Merchandize to a Stranger, or any ways preſume to do it, that they may be ſold again, until by the Noble and Great Men of our Kingdom it ſhall be duly debated in our next Parliament, whether our preſent Grant may for the future redound to the Diſprofit or common Profit of our People: Saving always to the Lords of our own Kingdom, and all others, that they might buy ſuch Merchandize of all men in groſs for their own uſe; and ſaving alſo the *German Hanſe*-Merchants the Liberties granted and confirm'd to them by Us and our Progenitors. In witneſs whereof We have cauſed to be made theſe Letters Patents. Witneſs our Self at *Weſtminſter* the fourth of *November*, in the Year of our Reign of *England* the fiftieth, of *France* ſeven and thirtieth.

The Anſwer to the Petition above, with which this Patent was delivered and preſented by the Commons, was no more than that *the King will be farther inform'd*. Which ſhews, that for ſome Reaſons He did not think fit then further to confirm it.

At [1] the ſame time the Commons, with the Mayor, Aldermen and Commonalty of the City of *London* petition'd the King, that for divers Miſchiefs that often happen'd in the ſaid City, by reaſon the Coroner was not puniſhable by the Mayor, Aldermen, and other Officers; that they might chuſe a Coroner of themſelves, and remove him when they pleas'd, as it was practis'd in divers Cities and Towns of the Land, they anſwering to the King in manner as appertain'd to the ſaid Office. The King's Anſwer was, *The King will not depart from his antient Rights*.

[1] Ib. n. 34. *The Commons and Mayor of* London, *&c. petition that the City may name a Coroner, which the King refuſes.*

The [2] Commons further petition'd the King, that for many Cauſes, as well known to his Privy Council as to them, it would be profitable to the Kingdom, that all Foreigners were commanded out of it, during the Wars, unleſs they were Merchants and Artificers, that were not Adherents to his Enemies, but ſuch as their ſtay was advantageous to the Realm: And for that He was their Liege Lord, and had the Power of doing Juſtice in Right of his Crown, in all things Temporal within his Kingdom; and that they owe no Obedience of

[2] Ib. n. 35. *The Commons petition that all Foreigners, except Merchants, depart the Realm.*

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any thing Temporal but to Him as their King and Liege Lord, that He would pleaſe to order and command, that none of his Lieges be Farmers or Servants to any Foreigners that have Eſtates or Benefices in *England*, unleſs to ſuch as inhabit there, or ſuch as were in his Liegeance, and had ſpecial leave to live out of the Kingdom; and that He would pleaſe to command his ſage Council to add more to this matter, as might be needful for the Amendment and Profit of his Kingdom. Yet they his ſaid Commons make Proteſtation before God, Himſelf, and all the Prelates and Clerks which were at that Parliament, *that their Intent and Will was, that the true Eſtate of Holy Church ſhall not by them be blemiſhed in any Point, but otherwiſe preſerved and kept ſafe according to his Pleaſure.* The Anſwer was, *The King and the Great Men of the Land will adviſe and order what is beſt to be done in this Matter.*

[2] Ib. n. 36. *The Petition againſt all Proviſors from* Rome.

And [2] they further petition'd in this caſe, that all *Proviſors* of Benefices from *Rome*, with their Officers or Servants, may be put out of the King's Protection, if they ſue, proſecute, or any ways diſturb, or cauſe to be excommunicated the true Patrons. The Anſwer was, *The Pope had promiſed redreſs, and if He makes it not, the Laws in this caſe ſhall be in force.*

[3] Ib. n. 75. *The Lord* Latimer *reſtor'd to his Eſtate.*

And amongſt their Petitions in this Parliament, I cannot but obſerve, [3] that the Commons pray'd the King and Noble Lords of Parliament, that whereas in the laſt Parliament, by untrue Suggeſtions, and without due Proceſs, the Lord *Latimer*, one of the Peers of the Realm, and ſufficient to be of the King's Council, as well for his Wars as otherwiſe, was ouſted of all his Offices, and diſcharged from the King's Privy Council, that he may by Award of this preſent Parliament be reſtored to his former Eſtate and Degree, to the great Profit of the Kingdom. The Anſwer was, *The King is willing at the Prayer of ſeveral Prelates and Lords of Parliament, and alſo of the Commons, that it ſhould be ſo.*

[4] Ib. n. 87. *The Commons further deſire that all Perſons impeached and condemn'd in the laſt Parliament might be reſtor'd.*

[4] In the laſt day of the Parliament, when all the Petitions of the Commons had been read and anſwered, their Speaker Sir *Thomas Hungerford*, ſaid before the Prelates, Lords and Commons, on behalf of the Commons, that whereas many People, as well Men as Women, had been impeached in the laſt Parliament, without due Proceſs, and were judg'd in certain Paynes, and foreclosed of the common Liberty which every loyal Subject ought to enjoy; they therefore prayed that it would pleaſe his Majeſty to reſtore them to their former Eſtates, Dignities, and all other things, notwithſtanding thoſe Judgments. The King preſently demanded, if their Requeſt was made for all that were impeached? And he anſwered, their Requeſt was for all. It was then told them, they muſt declare diſtinctly in Writing, for whom, and why they thus petition'd: and preſently the ſame day ſeven Bills (*i. e.* Petitions) were deliver'd to the Clerk of the Parliament, whereof the two firſt being worth our noting, I ſhall give you the Subſtance of them.

They petition on behalf of Richard Lyons.

The one was directed to the King from the Commons “on the behalf of *Richard Lyons* Merchant, who had been the laſt Parliament by a haſty Proceſs adjudg'd to the Tower of *London* during his Majeſty's Pleaſure, that therefore it would now pleaſe Him, that he ſhould be reſtored to his Liberty, as alſo to his Goods, Lands

“and

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" and Tenements; ſince according to Law no cauſe of Forſeiture " could be found againſt him. The other is directed to the King and his ſage Council in this preſent Parliament, on behalf of *Alice Perrers*, " ſetting forth, that ſhe had been by untrue Suggeſtion, and undue Proceſs in the laſt Parliament, forecloſed of the common Liberty which " every Liege Subject of the King, as well Men as Women, ought freely " to enjoy, unleſs they be convict of a Crime, for which they are to " forfeit it: that therefore it would pleaſe his Majeſty, for the love " of God and right Juſtice, to have conſideration, that the ſaid " *Alice* was never preſent in Parliament, nor duly admitted to anſwer " any thing for which ſhe was adjudged; and for this cauſe to reverſe " the Judgment, and cauſe her to be reſtored entirely to her former " Eſtate, the ſaid Judgment, or any Prohibition made againſt the ſaid " *Alice* in the ſame Parliament notwithſtanding.

And alſo of Alice Perrers.

Both theſe Petitions were granted by the King, + being on the behalf of two Perſons he greatly favour'd, eſpecially the latter, who was then return'd to Court, and looked upon as his Miſtreſs, or rather Nurſe, if what *Stow* relates be true, that ſhe and her Daughter *Iſabel* lay in bed with the King every Night to keep him warm. And then the Parliament was diſſolved. But this likewiſe ſhews us, that even then one Parliament differ'd from another, and often quitted thoſe whom the former had condemned.

Who are thereupon both reſtor'd by the King.

sessn ended before ye;
+ But ye bills
were passed
See 2 Parl. Rec. 375.

We ſhall now ſay ſomewhat of the Affairs abroad. In the mean while, the King was inform'd, that the *French* were got to Sea, and had done much damage upon the Coaſt; wherefore not being yet ready to oppoſe them, He endeavour'd to make a Peace, or elſe to prolong the Truce: to which purpoſe, [1] on the twentieth of *February* He by a Commiſſion appointed the Biſhop of *Hereford*, the Lords *Cobham* and *Montacute*, with ſeveral other Commiſſioners, to treat with thoſe of the King of *France*, before the Pope's Legates at *Bruges*, but nothing was done in this Affair; and the Legates finding it impoſſible to make any final Agreement, upon the Terms demanded by both Parties, they propounded a Match between *Richard* Prince of *Wales*, and *Mary* the King of *France* his Daughter. This Propoſal begat another Meeting of other Commiſſioners (of whom Sir *Geoffry Chaucer* the Poet was one) at *Monſtreuil*, but without any other effect than continuing the Truce until the firſt of *May* next following. But before that time was expired, *viz.* [2] on the ſixteenth of *April*, another Commiſſion was granted to the Biſhops of *St. Davids* and *Hereford*, the Earl of *Saliſbury* and others, by which they were to treat at the Place laſt mention'd, with the *French* Commiſſioners, who were the Lord *de Coucy*, and Monſieur *Dormer* Chancellor of *France*, with ſome others. Theſe were impower'd to end and compoſe all Differences, Wars and Contentions whatſoever, between the two Crowns; but by reaſon of certain freſh Jealouſies and Suſpicions the Commiſſioners had one of another, they never could agree to meet any more, and thus all things remain'd in the ſame ſtate of War and Confuſion during the reſt of this King's Reign. Tho [3] *Mezeray* (I cannot tell by what authority) relates, that King *Edward*, being worn out with Age and Sickneſs, and likely to leave his Succeſſor an Infant, was ſo deſirous of Peace, that He was willing to relinquiſh divers chief Articles of the Treaty of *Bretigny*, but what they were this Author would

The King appoints certain Commiſſioners to prolong the Truce with France.

[1] Rot. Franc. 51 Ed. 3. m. 7.

[2] Ib. m. 8.

Other Commiſſioners appointed, who never meet.

[3] Ad hunc An.

Anno Dom. 1377.

* Hiſt. d'Angleterre, p. 711.

would have done well to have told us, ſince I can find it in no other Writer. But it is more probable what * *Du Cheſne* further relates (tho I know not from what Authority) that at this Treaty King *Charles* offer'd by his Commiſſioners to thoſe of *England* fourteen hundred Towns, and three thouſand Caſtles, by which are meant principal Houſes, or Seats belonging to Great Lords and Gentlemen, on condition they ſhould be held by Homage of the Crown of *France*; yet ſo that the *Engliſh* ſhould give back *Calais*, and whatever elſe they had conquer'd in *Picardy*.

† Wood Antiq. Oxon. l. 1. p. 184, 186.

[1] T. W. ad hunc An. *The Pope orders the ABp of* Canterbury *and Bp of* London *to apprehend* John Wickliff.

[2] Fox's Acts and Monuments, p. 27, 428, 1583. ex Hiſtor. S. Albani penes Mattheum olim Archiepiſ. Cant.

He appears before the Bps at Pauls, *accompany'd by the* D. *of* Lancaſter *and Earl Marſhal, where a great Quarrel ariſes.*

I cannot here omit a matter, which, tho it be properly Eccleſiaſtical, yet it having ſo near a relation to, and influence over our Civil Affairs, I ſhall inſert here, being the moſt proper Place for it. *John* † *Wickliff*, Warden of *Canterbury* College in *Oxford*, and a Perſon very conſiderable for his Knowledg in Divinity (as having been for ſome time publick Reader or Profeſſor thereof) had now fallen under the Cenſure of the Pope, for certain Opinions and Doctrines he then publiſhed contrary to thoſe maintain'd by the *Roman* Church, a particular Account of which you will find at the end of this Reign. Wherefore [1] the Pope, upon the hearing of them read before Him, directed his Bulls to the Arch-Biſhop of *Canterbury* and Biſhop of *London*, commanding them to uſe their Authority for the Apprehenſion of the ſaid *Wickliff*, in order to examine and cenſure his Opinions; and being cited by the Arch-Biſhop of *Canterbury* to appear and anſwer in his Court at St. *Paul's* Church for the ſame, *Wickliff* appearing according to his Citation, [2] was accompany'd thither by the Duke of *Lancaſter* and the Lord *Piercy* (then Lord Marſhal) who out of ſpite to the Biſhops both came as his Patrons, and Favourers of his Opinions, to our Lady's Chappel in St. *Paul's*, attended by a great number of other People. But when *William Courtney* Biſhop of *London* ſaw the ſtir that the Marſhal and his Men made among the People, he ſaid unto the Lord *Piercy*, *That if he had known before, how he would have plaid the Maſter in his Church, he would have hinder'd him from coming thither.* At which words of the Biſhop the Duke being concern'd, anſwer'd him, that the Marſhal *ſhould play the Maſter there, as he had begun, even tho he the Biſhop ſaid nay.* Then as ſoon as they were come into the Chappel, the Duke and other Lords ſat themſelves down with the Arch-Biſhop and Biſhops, *John Wickliff* ſtanding before them, according to the uſual manner, ready to anſwer what ſhould be objected unto him. The Lord Marſhal firſt breaking ſilence, deſired Mr. *Wickliff* to ſit down, alledging, that he had many things to anſwer, and therefore had need of ſome repoſe. But the Biſhop of *London* ſaid, *He ſhould not ſit down there; for neither was it according to Law nor Reaſon, that he who was cited there to appear to anſwer before his Ordinary, ſhould ſit down during the time of his Anſwer.* Theſe Words created others, and thoſe ſtill begat more, the Biſhop ſtanding upon the Privileges of his Function, and the Earl Marſhal upon his Own and the King's Authority; ſo that many reflecting Words and Menaces paſs'd on both ſides, to the great offence of the Auditors.

[3] Id. ibid. *The Duke ſides with the Marſhal.*

Then [3] the Duke began the more to take the Marſhal's part, and warmly to reprove the Biſhop, who was not a jot behind hand with him; ſo that the Duke finding himſelf worſted by the Biſhop in Words, threaten'd, *that he would ſhortly bring down the Pride of him and all*

all the Prelates in England; and told him farther, *that he preſum'd too much on his Parentage, but that ſhould not be able to help him.* To which the Biſhop reply'd, *that he was only bold for the Truth, and that his Confidence was not in his Parents, but in the living* God. Then the Duke whiſper'd to one that ſat next him, *that he had rather drag the Biſhop out of the Church by the Hair of the Head, than take ſuch Language at his hands.* However this was not utter'd ſo ſoftly, but that ſome of the Citizens overheard him, who being enraged, thereupon cry'd out, *that they would never ſee their Biſhop ſo abuſed, but rather loſe their Lives than that he ſhould ſuffer ſuch an Indignity.* Upon this Contention the Court was diſſolv'd before nine of the Clock, and the Duke with the Lord *Piercy* return'd to the Parliament then ſitting at *Weſtminſter*; and *Wickliff* was at the ſame time diſmiſs'd, tho not without a ſevere Prohibition from the Biſhops, never for the future to preach nor write any more in defence of thoſe Articles laid to his charge, and ſo the Buſineſs ended at that time.

The Court is diſſolv'd, and Wickliff *diſmiſs'd.*

But the next day [1] the Mayor and Citizens aſſembl'd in Common Council to conſider of the matter, and alſo how far the Power of the Marſhal extended, not forgetting to take notice of the Affronts put upon their Biſhop the day before. But while the better ſort of them were engaged in ſober Debates, a great number of the common People being got together, heard that one of them was then in Priſon in the Lord Marſhal's Houſe, which ſtood within their Liberties; and they being ſecretly ſtir'd up by ſome conſiderable *Beauteſeus*, went immediately in great fury to the Houſe of the Lord *Piercy*, and there breaking open the Gates, they took out the Priſoner by force, and carry'd him away; and after they had done this, they ſearched for the Lord *Piercy* all over the Houſe, but not finding him as they expected, they ſpoil'd and cut to pieces his Beds, Hangings, and other Furniture, whilſt *Piercy* their Owner was with the Duke of *Lancaſter* at dinner, at the Houſe of a Merchant, call'd *John* of *Ipres*. But the Rabble not knowing any thing of that, and ſuppoſing they were both at the Duke's Palace call'd the *Savoy*, thither they poſted in all haſt, expecting to find them; which a Knight of the Duke's ſeeing, made haſt to the Place where his Lord din'd, and gave him notice of this Uproar: Whereupon the Duke roſe haſtily from the Table, and with the Lord *Piercy* took Boat, and went away to *Kennington*, a Mannor of the King's near *Lambeth*, where the Princeſs of *Wales* and her Son Prince *Richard* then lay, complaining of this Riot, and the Violence offer'd to them. In the mean time the Multitude coming to the *Savoy*, a Prieſt inquiſitive to know the Buſineſs, was anſwer'd, *They came to take the Duke and the Lord Marſhal, and compel them to deliver Sir* Peter de la Mare, *unjuſtly detain'd in Priſon.* The Prieſt imprudently reply'd, that Sir *Peter* was a Traitor to the King, and deſerv'd to be hang'd; at which words they all cry'd out, *This is* Piercy, *this is the Traitor in diſguiſe, his Speech betrays him*; and preſently they fell upon him, and wounded him to death.

[1] Id. ib.

The Citizens of London *take notice of the late Action of the Marſhal; whereupon the Common People riſe, and break open the Lord Marſhal's Houſe.*

The Duke of Lancaſter *and Ld Marſhal ſave themſelves by flight.*

Then [2] the Biſhop of *London* hearing this Outrage, left his Dinner, and haſted to the *Savoy*, where he admoniſh'd the People to be mindful of the Holy Time, being *Lent*, and for the love of Chriſt to deſiſt from ſuch ſeditious Actions, aſſuring them all things ſhould be fairly

[2] Id. ib.

The Bp of London *endeavours to appeaſe the Tumult.*

Anno Dom. 1377.

ended for the good of the City: Whereupon they were ſomething pacified, and forbore to aſſault the Duke's Houſe, whoſe Perſon, if they could have found, they had no doubt made an end of, and the Lord Marſhal's too in their fury; but miſſing the Duke, they hung up his Arms revers'd, in token of Treaſon, in the principal Streets in the City.

[a] Id. ib. *The Princeſs Dowager ſends to the Citizens to make their Peace with the Duke.*

Then the Princeſs Dowager ſent from *Kennington* three Knights of her Retinue to perſuade the Citizens to make their Peace with the Duke. To which they return'd this Anſwer, That for her ſake they would do whatſoever ſhe commanded; but yet enjoin'd thoſe Knights to deſire the Duke to permit the Biſhop of *Wincheſter* and Sir *Peter de la Mare* to come to their Anſwers, according to the Laws of *England*. The Mayor and his Brethren ſent ſome of the chief Citizens to the King, to excuſe themſelves for this Tumult, proteſting they were no ways privy thereto, but ſought all means to ſuppreſs the ſame, which they could not do. And the whole Commonalty being in a great Commotion, upon an Information that their Liberties ſhould be taken away from them by Parliament, the King thereupon told them, it never was in his thoughts to infringe their Liberties, but He rather deſired to enlarge them; and therefore willed them not to fear, but return to appeaſe the Citizens, and keep them in Peace and Order. They were well pleas'd with this Anſwer, and did as the King enjoin'd them; but yet they could not ſtop the Paſſage of divers Rhimes and Libels (thoſe ſecret Darts that wound unſeen) but that they were daily ſpread in the City to the Defamation of the Duke, and to make his Name odious to the People; for which he procured the Biſhops to excommunicate the Authors of all ſuch Rhimes and Libels; and thus the Buſineſs was compos'd for a time.

[a] Id. *cited by* Stow ad hunc An. *The Mayor and Aldermen excuſe themſelves of the late Riot, and offer the Duke ſatisfaction.*

But [a] when the Parliament was diſſolv'd, the Duke's Diſpleaſure againſt the City ſtill continu'd, and began to ſhew it ſelf afreſh; ſo that the Mayor and Aldermen were brought before the King at *Shene*, and adjudg'd to ſubmit themſelves to the Duke, and crave pardon for their grievous Offences: but they proteſted as before, that they could not ſtay the rage of the Multitude, who committed thoſe Inſolencies; *beſeeching the King not to puniſh ſuch as were innocent and ignorant of the Fact*; promiſing the Duke they would endeavour by all means to bring out the Malefactors, and compel them to make ſatisfaction, to the Duke's honour; and more (ſaid they) we can not do.

They are turn'd out, and others put in.

Whereupon they were diſmiſs'd the Court, and ſhortly after from their Places, by the power of the Duke of *Lancaſter*. Sir *Nicholas Brember* was elected Mayor inſtead of *Adam Staple*, and other Aldermen appointed in the Places of thoſe who were put out.

The Duke of Lancaſter *being made Regent of the Kingdom, falls out with the Bp of* Wincheſter.

But to give the better light to what hath been already related concerning the Biſhop of *Wincheſter's* Diſgrace, and other Matters before mention'd, we are to underſtand that not long after the Death of Prince *Edward*, the King growing ſickly, and unfit for Buſineſs, appointed his Son the Duke of *Lancaſter* Regent of the Kingdom under Himſelf, who being of a rough and martial Temper, was not at all acceptable to the Clergy, nor to the common People of the City of *London* (as you may have already obſerv'd) and *William* of *Wickham* Biſhop of *Wincheſter* having highly diſoblig'd him by ſome Words or Actions (which ſince they are uncertain, I ſhall not mention) he cauſed the King to ſeize upon his Temporalties, and to forbid him coming near the Court: And beſides this, the Duke not looking upon the Earl of *Marche* (then Lord Marſhal) as one in his Intereſt, he would have ſent him a little before the late Truce to command the Forces about *Calais*; but he declining the Imployment, was forced (as a Puniſhment for his diſobedience) to ſurrender his Marſhal's Rod, which the Duke preſently beſtow'd upon his Friend the Lord *Piercy*, who at the Coronation of King *Richard* the Second, you will find to be created the firſt Earl of *Northumberland* of that Name and Family.

Anno Dom. 1377.

The E. *of* March *turn'd out from being Ld* Marſhal, *and the Ld* Piercy *put in his room.*

I cannot here paſs by mentioning an Affair, tho of leſs moment, that happen'd this Year. [1] Sir *John Menſterworth* (whoſe Treaſons we have already ſet forth under *A. D.* 1370.) being ſurpriſed by certain *Engliſhmen* at *Pampelona*, a City of *Navarre*, he was by the Permiſſion of that King brought over into *England*, and try'd here before the Mayor, and other the King's Juſtices in the *Guild-Hall* at *London*, where theſe Crimes were proved home upon him, *viz.* "That being entruſted by his Sovereign Lord the King, and having received conſiderable Sums of Mony wherewith to pay the King's Soldiers, he had falſly and traitorouſly kept the Mony to his own uſe; alſo that he had maliciouſly occaſioned a Diſſenſion and Diſcord in the King's Army, and thereby gave the Enemy Advantage againſt them: whereof being accuſed unto the King, and fearing the puniſhment due unto him, therefore he like a falſe Traytor, had fled into *France* unto the King's Enemies, and there was ſworn unto the *French* King, and conſpired againſt his own Sovereign, undertaking to direct the *Spaniſh* Navy, and bring them into *England*, to the deſtruction of his Native Country. Of all which being convicted, he was on the twelfth of *April* executed at *Tyburn*, and his Head ſet upon *London*-Bridge.

[1] T. W. Fab. Chron. ad hunc An.

Sir J. Menſterworth *executed for a Traitor.*

But to ſay ſomewhat of Foreign Affairs; [2] the late Truce having been expired in the beginning of *May*, Sir *Hugh Calverly* being made Governor of *Calais*, was ſent over thither with ſome Forces (for now all things began to threaten the bloody Conſequences of the next Campagne) wherefore Commiſſions were ſent to the Great Lords throughout all *England*, to array and muſter all able men from ſixteen to ſixty Years old, to be ready on occaſion to defend the Kingdom, and to withſtand any Invaſion that might happen, there being apprehenſions that the *French* would land in ſome Part or other: And not long after ſome of their Commanders came ſuddenly with conſiderable Forces, and laid Siege to a ſtrong Fort near *Calais*, called *Outwick*, which they began to batter moſt furiouſly with nine Pieces of Great Ordnance, and it ſo terrified *William Weſton* the Governor, that he preſently ſurrender'd the Place, on condition that he and his Men ſhould be ſafely convey'd to *Calais*, where Sir *Hugh Calverly* preſently ſeized him, and ſent him into *England* to anſwer the Fact; and when he arrived, he was ſent to the *Tower*, where he lay without any Proceedings againſt him until the beginning of the next Reign.

[2] Froiſ. c. 323.

Sir Hugh Calverly *is ſent over to* Calais *with ſome Forces.*

The French *beſiege the Fort of* Outwick, *which is ſurrender'd.*

The [3] Duke of *Bretagne*, who had been more than a Year with his Couſin the Earl of *Flanders*, ſeeing now the War break out again, took leave of the Earl, and went to *Graveling*, whither the Earl of *Saliſbury* and Sir *Guiſcard d' Angle* went to meet him, with a ſelect Body of Men at Arms and Archers, and ſo conducted him ſafe to *Calais*. The [4] next day, about fifty of the Duke's Retinue would paſs over

[3] Id. c. 324.

The Duke of Bretagne *comes to* Calais.

[4] Stow, p. 276.

Anno Dom. 1377.

Divers of his Retinue are taken by the French.

to *Dover*, but by the way were taken by ſome *French* Galleys, and ſome of the Paſſengers ſlain in ſight of the Town, which was not then able to relieve them; but Sir *Hugh Calverly* being reſolved to be revenged, marched out with a ſtrong Party of choice Troops, and made an Inroad into the *French* Pale, where he ſlew ſeveral men, retook the Caſtle of *Outwick*, and returned ſafe with great Booty of Cattle: And indeed you will find many notable Actions done by this valiant Warrior during the next Reign.

[1] Froiſ. ib.

The Duke of Bretagne *comes into* England.

But to add ſomewhat further of the Duke of *Bretagne*, [1] when he with the Lords abovemention'd had ſtaid about a month at *Calais*, being now provided with a ſufficient Convoy, they all paſſed over into *England* about the middle of *June*, and then waited upon the King; but He was at that time very ill, and lived but a few days after, of whoſe Deceaſe we ſhall ſpeak further by and by.

[2] Id. ib.

The E. of Bedford *goes into* Auſtria *to proſecute his Right to that Dutchy.*

In the mean time I ſhall give you ſome account of the King's other Son-in-law, [2] *Ingelram* Earl of *Bedford*, and Lord of *Coucy*, who, immediately after his Return into *France* from the Wars of *Italy*, where he had for ſome Years ſerved the Pope, was furniſhed by the King of *France* with ſufficient Forces to recover the Dutchy of *Auſtria*, which he laid claim to in Right of his Mother, Siſter to *Peter* late Duke thereof; but the Eſtates of that Country had beſtowed it upon another, againſt whom the Lord *Coucy* went the laſt Year, attended by many of the Nobility of *France*, but with very bad Succeſs; for the People of *Auſtria*, by the Command of his Competitor, ſo burnt and deſtroy'd the whole Country for above three days March (he himſelf retiring with his Forces to the Mountains) that the Lord *Coucy* and his Army ſuffer'd extremely for want of Victuals and Forage, and moſt of his Men and Horſes died in the Winter by Hunger, Cold and Sickneſs; upon which he was forced to put an end to this Expedition, and return into *France* with thoſe ſmall Forces he had left. But that he might not ſhew himſelf ungrateful to the *French* King his Benefactor, he reſolved wholly to quit the *Engliſh* Intereſt, and take part with that of *France*: Yet to palliate the matter the better, and to ſatisfy in ſome meaſure King *Edward* his Father-in-law, he ſent his Daughter *Iſabella* to Him into *England*, where ſhe continued for ſome time, and ſo far prevail'd upon the King her Father, that her Huſband (notwithſtanding what he had done) was permitted to enjoy his Honours and Eſtate in *England*: and indeed there was ſome reaſon for it; [3] for beſides that his Eſtate in *France* was much greater, he was born a Subject of that Kingdom, and not being an abſolute Prince, it was not to be expected that he ſhould quit his Allegiance to that Crown.

Where he loſes moſt of his Army by Famine or Sickneſs, and returns into France, *and embraces the Intereſt of that Crown.*

[3] Dug. Baron. Vol. 1. p. 760.

An Account of King Edward'*s Sickneſs and Death.*

Nothing now remains, but that we conclude this Reign with the melancholy Relation of King *Edward*'s Deceaſe, in the one and fiftieth Year of his Reign, and ſixty fifth of his Life; who tho no very old Man, yet was much broken by the Martial Toils of his Youth, but much more thro great Grief and Diſcontent ariſing from ſo many various Miſfortunes that follow'd one another: Yet [4] if *Walſingham* and other Hiſtorians may be credited, He too much indulged Himſelf in Venereal Pleaſures almoſt to the laſt; for *Alice Perrers* his Miſtreſs continuing with Him, had ſtill flatter'd him with hopes of Life, until He fell into the Diſeaſe call'd the *Annuli* or *Shingles*, which putting

him

[4] Chron. Eveſ.

[5] T. W.

He is deſerted by his Miſtreſs and moſt of his Servants.

him into a Fever, increas'd to that degree, that his Life was deſpair'd of, and then ſhe (like a right Jilt) packing up what ſhe could get, even to the Rings on his Fingers, left Him. Then his other Attendants, by her Example, ſeizing upon what they could find, ſhifted for themſelves; and even his Counſellors forſook him in his laſt Agony, when He moſt needed their Advice, leaving his Chamber in a manner empty, which a Prieſt or Chaplain of the Houſhold obſerving, came up, and approached the King's Bed-ſide, and finding Him yet breathing, call'd upon Him to remember his Saviour, and ask Mercy for his Sins; which none before him would do, but every one flatter'd him ſtill with hopes of Life (a Miſfortune too often fatal to Princes and Great Perſons.) This had made him negligent of thoſe pious Cogitations fit for a dying Man; but being now ſtir'd up by the Voice of this Prieſt, He ſhew'd all Signs of Contrition, and with his laſt Breath expreſs'd the Name of *Jeſus*. Thus died this mighty King, at his Mannor of *Sheen* (now *Richmond*) the twenty firſt day of *June* this preſent Year, to the great grief of his Subjects, who notwithſtanding his late Failings, would have been glad longer to have enjoy'd Him.

His Character as a Man.

But tho this Prince's Character is beſt to be learn'd by the Great Actions of his Life, yet it will not be amiſs to ſay ſomething of his Perſonage, natural Temper and Conditions. He was of Stature indifferently tall, yet ſtrong, and well proportion'd; of a graceful and noble Aſpect, ſo that in his old Age He commanded Reſpect and Veneration of all thoſe that ſaw Him. As to his Conditions, no man was more gentle where there was Submiſſion; where oppos'd, none more ſtern and inexorable. He was in common Converſation very humble and familiar to all thoſe that addreſs'd themſelves to Him, whether Subjects or Strangers, yet ſtill with great Gravity and Diſcretion: He was as a Father to the Orphans, and never fail'd to ſuccour thoſe that were in Miſery, or oppreſs'd; was magnificent in conferring Favours or Benefits on thoſe that had any ways ſerv'd or oblig'd Him; humble and modeſt in Proſperity, and in Adverſity not too much caſt down or dejected. He was curious and magnificent in his Publick Buildings, as that Noble Edifice of *Windſor*-Caſtle teſtifys. He was alſo Munificent, Pious and Charitable, as appears by his erecting and liberally endowing a [2] Noble College call'd *King's-Hall* in *Cambridg*, now made a part of *Trinity-College*; as alſo the Collegiate * Chappel of St. *Stephen's* at *Weſtminſter*. [3] This, with a ſmall, but handſom Colledg adjoining, He built and endow'd for a Dean and twelve ſecular Chanons, who with ſeveral Singing Men were daily to perform Divine Service in that Place, which then was the publick Chappel of that Palace.

His publick Acts of Charity.

His Actions as a King.

To conclude, tho He was a Prince that valued his Prerogative, yet none of his Predeceſſors paſſed more or better Statutes for the eaſe and benefit of his Subjects, nor more careful to ſee them well obſerv'd, or was more ſtrict in puniſhing his Judges for Oppreſſion, Bribery or Corruption, as you may find by ſeveral Examples thro his whole Reign. And as no King had more frequent and greater Taxes from his Subjects, ſo they were ſatisfied they were expended for the Honour and Defence of the Nation againſt their Enemies; and theſe Taxes were as willingly given, as they were worthily

[2] Fuller's Hiſt. of that Univerſity.

* *Which is now the Houſe of Commons.*

[3] Stow's Survey, *p.* 523.

and diſcreetly lay'd out, till towards the latter End of his Reign, that He came to be too much govern'd by Women or Favourites. In ſhort, *Walſingham* tells us, That this King's Reputation was ſo great in thoſe days, that it reached even to remote and barbarous Nations, who eſteemed thoſe to be moſt happy that were his Subjects, at leaſt his Confederates; ſo that my Author further ſays, *That God had never rais'd up a King in* England *that was ſo Valiant, Generous and Fortunate as Himſelf:* and if He declin'd towards the latter end of his time from that heighth of Glory which He formerly attain'd, it was only that Heaven had a mind to humble Him, and ſhew Him the Vanity of that falſe Glory of Conquering Foreign Kingdoms, to obtain which Princes too often render themſelves extreamly burthenſom to their Subjects, and hated as well as fear'd by the Princes their Neighbours.

Anno Dom. 1377.

The Iſſue of Edward III. *by* Philippa *of* Haynalt.

HIS Eldeſt Son was [1] *Edward* of *Woodſtock*, ſo called becauſe born there *June 15th* 1330. He was Prince of *Wales*, and married *Joan* Counteſs of *Kent* (called for her great Beauty *The Fair Maid of Kent*) She was Daughter to *Edmund* of *Woodſtock*, Sixth Son of King *Edward* I. (but the Second by his Queen *Margaret*, Daughter to the K. of *France*) but the Lady we now ſpeak of, was Siſter and Heir to both her Brothers *Edmund* and *John* Earls of *Kent*, who both died without Iſſue: [2] She was firſt married about the Five and twentieth year of her Age, and Six and twentieth of *Edward* III. to Sir *Thomas Holland*, Knight of the Garter, and in her Right made Earl of *Kent*, by whom ſhe had Iſſue two Sons, *viz. Thomas* Earl of *Kent*, and *John* Duke of *Exeter*: He died *December* the Six and twentieth, in the Four and thirtieth year of *Edward* III. 1360. She was alſo in her youth betrothed to *William Montacute* Earl of *Salisbury*, from whom ſhe was divorced by conſent: with this Lady the Prince fell in Love, and was married to her in the One and thirtieth year of his Age, and the Five and thirtieth of his Father's Reign, *A. D.* 1361. By her He had [3] firſt *Edward* of *Angouleſme* (ſo called becauſe he was there born) who died in the ſeventh year of his Age. His Second Son *Richard* of *Bourdeaux* (ſo alſo called becauſe born there) ſucceeded his Father as Prince of *Wales*, and his Grandfather in the Kingdom, by the Name of *Richard* II.

[1] T.W. Ypod. Neuſtr.

[2] Sandf. Gen. Hiſt. p. 184.

[3] T. W.

[4] *William* of *Hatfield*, Second Son of *Edward* III. born there 1336. in the Tenth of his Father's Reign, who died very young.

[4] Id. Ypod. Neuſtr.

The [5] Third Son of King *Edward* and Queen *Philippa* was *Lionel*, born at *Antwerp*, created Duke of *Clarence*, and married to *Elizabeth de Burgh*, Daughter and Heir of *William de Burgh*, Earl of *Ulſter*, Lord of *Clare*, *Connaught* and *Trim*, by whom [6] he had only one Daughter named *Philippa*. She was by the King her Grandfather, after the Death of her Father, at the Age of thirteen Years, married to the Lord *Edmund Mortimer*, created Earl of *Marche* in the Forty ſecond Year of *Edward* the Third, *A.D.* 1368. by whom She [7] had *Roger Mortimer* their Eldeſt Son, and Heir to both their Honours and Titles, who left *Edmund Mortimer*, his Son and Heir, Earl of *Marche* and *Ulſter*,

[5] Ibid.

[6] Sandford, ut ſup. p. 219.

[7] Id. p. 225.

ſter, Lord of *Wigmore*, *Clare*, *Trim* and *Connaught*, and Heir to the Crown of *England*, after the Death of King *Richard* II. [4] He died without Iſſue, as alſo his Brother *Roger*, and Eldeſt Siſter *Elianor*; leaving *Anne* their Second Siſter ſole Heireſs to her Father *Roger Mortimer*, Brother to *Edmund*.

The [5] Fourth Son of *Edward* III. and his Queen *Philippa*, was *John* ſirnamed of *Gaunt*, becauſe born there; he was firſt Earl of *Richmond*, and afterwards Duke of *Lancaſter*; he married *Blanche* the Second Daughter and Co-heir (with *Maud* her Siſter) of *Henry* Duke of *Lancaſter*, [6] by whom he had his only Son by that Marriage, *Henry* Earl of *Derby*, Duke of *Hereford* and *Lancaſter*, afterwards *Henry* IV. King of *England*. After the Death of *Maud* the Eldeſt Daughter without Iſſue, He in Right of *Blanche* enjoy'd all the vaſt Eſtate of her Father Duke *Henry*, with his Titles; and was in the Six and thirtieth Year of *Edward* III. advanced to the Title of Duke of *Lancaſter*.

The [7] Fifth Son of King *Edward* and Queen *Philippa*, was *Edmund* of *Langley*, ſo called from a Mannor near *St. Albans* in *Hartfordſhire*, where he was born; he was by his Father made Earl of *Cambridge*, and by King *Richard* the II. created Duke of *York*. [8] He married *Iſabel*, Younger Daughter and Co-heir of *Peter* King of *Caſtile*, by whom he had *Edward* his Eldeſt Son, who died without Iſſue. He had alſo by her *Richard* Earl of *Cambridge*, called of *Coningsburgh*, a Town of that name in *Yorkſhire*: [9] He married the Lady *Anne Mortimer* abovementioned, by whom he had *Richard* Duke of *York* and Earl of *Cambridge*, who married *Cecilia Nevil*, the Youngeſt Daughter of *Ralph* Earl of *Weſtmorland*, by whom he had *Henry* his Eldeſt Son, who died young, and *Edward* his Second Son, Duke of *York*, and afterward King of *England* by the Name of *Edward* IV.

[1] *William* of *Windſor* (the Second of that Name) was the Sixth Son, who died ſo young as there is nothing memorable left of him.

The Seventh and Youngeſt Son of *Edward* III. and Q. *Philippa*, was [2] *Thomas* of *Woodſtock*, there born; he was by King *Richard* II. created Duke of *Glouceſter*, he married *Eleanor* the Eldeſt of the two Daughters and Heireſs of *Humphrey de Bohun*, Earl of *Hereford*; he died without Iſſue.

Iſabel, the Eldeſt Daughter of King *Edward* and Queen *Philippa*, [3] married *Ingelram* Lord of *Coucy*, and Earl of *Soiſſons* in *France*, who by King *Edward* was created Earl of *Bedford*.

Their Second Daughter *Joane* [4] had the Title of Queen of *Spain*; She was by Proxy married to *Alphonſo* King of *Caſtile* and *Leon*, and convey'd into that Country, and not long after died of the Plague before He could arrive to conſummate the Marriage.

[5] The Third Daughter was *Blanche de la Tour*, ſo named becauſe born in the Tower of *London*; ſhe died an Infant.

[6] *Mary* their Fourth Daughter, was Wife of *John Montfort*, Duke of *Bretagne* in *France*, of whom We have ſpoke ſo much in the preceding Reign.

[7] *Margaret* the Fifth and Youngeſt Daughter, was Wife to *John Haſtings* Earl of *Pembroke*.

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[4] Rot. Parl. 39 Hen. 6. n. 18.

[5] T. W.

[6] Vid. Dugd. Baron. Vol. 2. p. 115.

[7] T. W. Ypod. Neuſtr.

[8] Sandf. ut ſupra, p. 357. & deinc.

[9] Brooks Catal. of Honour.

[1] Sandf. ut ſup. p. 178.

[2] Id. ib. p. 227.

[3] Ibid.

[4] Ib. p. 179.

[5] Ibid.

[6] Ibid.

[7] Ibid.

Taxes in this King's Time.

[1] T.,W.

[1] IN the Sixth Year He had granted him a Fifteenth by the Counties, and a Tenth by the Cities and Burghs for one Year.

[2] Id.

[2] In his Eighth Year He had the ſame, and a Tenth granted by the Clergy.

[3] Id.

[3] In his Tenth Year He had the ſame Tax from Layty and Clergy.

[4] Ad Mur. ad An. 1337.

[4] In the Eleventh Year He had a Three-year's Tenth given Him by the Clergy in Convocation, a Three-year's Tenth given Him by Citizens and Burgeſſes in Parliament, and by Others a Three-year's Fifteenth, to maintain the War then begun with *France*, and to pay the *Germans*, *Brabanters* and other Confederates on the Borders of *Germany*, againſt the King of *France*.

[5] Rot. Parl. 13 E. 3. Part. 1. n. 5.

[5] In the Thirteenth Year the *Great Men* gave Him the Tenth Sheaf of all manner of Grain of their Demeaſn Lands, except of their Bond Tenants, with the tenth Fleece and the tenth Lamb: this was in the firſt Parliament this Year held fifteen days after *Michaelmas*.

[6] Rot. Parl. 13 E. 3. Part. 2. n. 5, 6, 7.

Then a [6] Parliament was ſummon'd to meet eight days after St. *Hilary* or twentieth of *January*, in which the Commons gave the King thirty thouſand Sacks of Wool.

[7] Ib. 14 Ed. 3. Part. 1. n. 5, 6, 7.

[7] In his Fourteenth Year, the Prelates, Earls, Barons, for themſelves and their Tenants, the Knights of Counties for themſelves and the Commons of the Land, granted to the King the Ninth Sheaf, Fleece, and Lamb; but the Citizens and Burgeſſes gave the Ninth of all their Goods, according to the true Value, for two Years next coming, and thoſe that lived not in Cities and Burghs, nor lived upon Tillage or Shop Trades, paid the Fifteenth part of all their Goods, according to the true Value.

Ib. Part. 2. n. 9, 10.

Upon the King's writing to the Parliament for ſpeedy Supply, ſeeing the Ninths could not be levyed time enough for his Service, the Lords and Commons agreed to have twenty thouſand Sacks of Wool ſpeedily provided.

Ib. 15 Ed. 3. n. 5, 6.

In the Fifteenth the Ninths were revoked, in reſpect of this Grant of twenty thouſand Sacks of Wool.

Ib. 18 E. 3. n. 9, 10.

In the Eighteenth, the Clergy of the Province of *Canterbury* granted a Three-year's Tenth, and the Knights of Counties gave two Fifteenths and two Tenths of Cities and Burghs; and afterwards the Commons granted another Fifteenth. The Lords promiſed to go with the King in Perſon, and therefore gave nothing.

Ib. 20 E. 3. n. 11.

In the Twentieth Year, the Commons granted two Fifteenths, to be levyed in two Years in Cities, Burghs and Antient Demeaſns, as alſo of the Commons of the Counties.

Ib. 22 Ed. 3. n. 4.

In the Two and twentieth Year, the Commons granted three Fifteenths, to be levied in three Years, ſo as one Fifteenth was to be levied in each Year, and no more.

Ib. 25 E. 3. P. 1. n. 9, 10.

In his Five and twentieth Year, the *Great Men* of the Realm and the Commonalty, by the Advice of ſome *Great Men* ſent to aſſiſt them, granted the King three Tenths, to be paid in three Years.

Ib. 27 Ed. 3. n. 31.

In the Seven and twentieth Year, the King made it his Requeſt, that the Prelates, *Great Men* and Commons, would grant Him the Subſidy of Wool-fells and Leather for ſome time; to which Prayer they unanimouſly conſented, and granted that Subſidy in manner as it had been received before that time for three Years.

Ib. 29 E. 3. n. 11. In his Nine and twentieth Year, the Commons came into the Preſence of the King, Prelates and *Great Men*, aſſembled in the White-Chamber, and having there a ſhort Conference with the *Great Men*, granted unanimouſly the Subſidy of Wool, Leather, and Wool-fells for ſix Years next coming; ſo as during that time no other Impoſitions or Charges be put upon the ſaid Commons.

Ib. 36 Ed. 3. n. 35. In the Thirty ſixth Year, the *Great Men* and Commons granted unto the King, of every Sack of Wool tranſported twenty Shillings, of every three hundred Wool-fells twenty Shillings, and of every Laſt of Leather forty Shillings; beſides the Antient Cuſtom of half a Mark a Sack of all Deniſons, and ten Shillings for Strangers; half a Mark for every three hundred Wool-fells of Deniſons, and ten Shillings of Strangers; and one Mark for every Laſt of Leather of Deniſons, and twenty Shillings of Strangers for three years.

Ib. 42 E. 3. n. 9. In the Forty ſecond Year, the Prelates and *Great Men* having had full Deliberation with the Commons, granted the Subſidy of Wool, Wool-fells and Leather, for two Years; of every Sack of Wool, and every twelve-ſcore Wool-fells thirty ſix Shillings eight Pence; of every Laſt of Leather four Pounds, beſides the Antient Cuſtom as before.

Ib. 43 E. 3 n. 9, 10. In his Forty third Year, the Lords and Commons granted to Him the Subſidy as above for three Years; of every Sack of Wool forty three Shillings and four Pence, which paſſed beyond Sea; of every twelveſcore Wool-fells as much, and of every Laſt of Leather four Pounds, beſides the Antient Cuſtom; of Strangers for every Sack of Wool four Marks, of every twelveſcore Wool-fells four Marks, and of every Laſt of Leather eight Marks, beſides the Antient Cuſtom.

Ib. 45 E. 3. n. 6. In the Forty fifth Year, the *Great Men* and Commons granted a Subſidy of Fifty thouſand Pounds, to be levied of every Pariſh of the Land two and twenty Shillings and three Pence, ſo as the Pariſhes of greater Value ſhould contribute ratably to thoſe of leſs Value.

Ib. n. 10, 11. This two and twenty Shillings and three Pence of every Pariſh anſwered not the Sum of Fifty thouſand Pounds, and therefore not long after at *Wincheſter*, the *Great Men* and Commons granted five Pounds and ſixteen Pence out of every Pariſh, the two and twenty Shillings and three Pence being compriſed in it; ſo as the Pariſhes of greater Value ſhould contribute to thoſe of leſs.

Ib. 46 E. 3. n. 10. In the Forty ſixth Year, the Lords and Commons granted for two Years the Subſidy of Wool, Leather and Wool-fells, as it was granted in the Forty third Year.

Ib. n. 11. And for that this Subſidy proved not ſufficient for the King's Expences, they granted a Fifteenth for one Year, to be levied as the laſt was.

Ib. n. 14, 15. Beſides this, the Citizens and Burgeſſes in this Parliament, for the ſafe convoying of their Ships and Goods, granted two Shillings upon every Ton of Wine, and ſix Pence in the Pound of all Goods for a Year.

Ib. 47 E. 3. n. 5. In the Forty ſeventh Year, the Lords and Commons granted a Fifteenth, as it had been in Antient manner levied, for two Years; they alſo gave Tonnage and Poundage for two Years, as it was given the laſt Year of all Merchandiſes exported and imported, except of Wool,

Wool-fells and Leather, and then granted the Subſidy of them for the next Year coming.

Ib. 50 Ed. 3. n. 9. In the Fiftieth Year, the Lords and Commons granted the Subſidy of Wool, Leather and Wool-fells for three Years, as it had been granted in his Forty ſeventh Year.

Ib. 51 Ed. 3. n. 19. In his Fifty firſt Year, the Lords and Commons granted Him Four Pence of every Perſon of the Kingdom, Males and Females, above the Age of Fourteen Years (except very Beggers) and then they deſired to be excuſed that they could give no greater Subſidy, becauſe of their preſent grievous Neceſſities.

A Sum or Abſtract of the Principal Laws or Statutes made in the Reign of Edward *the Third.*

1 Edw. III. Stat. 1. IN his Firſt Year there was a Confirmation of the Baniſhment of *Hugh le Diſpencer*, both Father and Son; and in the ſame Parliament, Cap. 2. by another Chapter, the Repeal of their Exile made in the Reign of *Edward* II. was reverſed and made void.

Ch. 1. And it is further declared, That none ſhall be impeached who took part with this King againſt his Father. But theſe Acts are long ſince expired, and I have given a particular Account of them in the Hiſtory, at the beginning of this Reign.

Ch. 4. Concerns only Matter of Practice, about a Tryal of an Averment in a Writ of Falſe Judgment, which I therefore barely mention.

Ch. 5. An Averment may be made againſt Falſe Returns by Bayliffs of Liberties.

Ch. 6. In Writs of Treſpaſs, an Attaint ſhall be granted by the Chancellor, without ſpeaking to the King, as well upon the Principal as upon the Damages. And in all Caſes of Attaints, the Juſtices ſhall not let to take the Attaints for the Damages not paid.

Ch. 7. The Juſtices of either Bench, Aſſize and Gaol-delivery, ſhall hear and determine all Plaints made againſt Sheriffs and Goalers, who ſhall compel or procure Priſoners to become Approvers, *viz.* to accuſe others.

Ch. 8. How they ſhall be dealt with that are taken for any Offence committed in the Foreſt, and how they ſhall be Bayled; and what Remedy the Priſoners ſhall have, if the Warden of the Foreſt ſhall refuſe Bayling them.

Other Statutes made at Weſtminſter *the ſame Firſt Year of this King.*

Stat. 2. 1 E. 3. Ch. 1. Confirms the Great Charter, and the Charter of Foreſts; and how the Perambulations of Foreſts ſhall be bounded, and Charters to be made thereof, and ſent to every Shire accordingly.

Ch. 2. Every Man having Wood within the Foreſt, may take Houſe-Boot and Hay-boot in his ſaid Wood, without being attached for the ſame; ſo it be done by the View of the Foreſters. It further enacts, That the King ſhall not (as had been done in the time of his Father) cauſe to be ſeized into his hands the Temporalties of any Biſhop.

Ch. 5. None ſhall be charged to arm himſelf otherwiſe than as was uſed in the time of the King's Progenitors; nor ſhall any be compelled to go out of his Shire, but when neceſſity requireth, and ſudden coming of ſtrange Enemies into the Realm. And then, for defence of the Realm, it ſhall be done as in times paſt.

Ch. 6. Aids granted to the King ſhall be taxed after the old manner, and not otherwiſe. *Stat. 9 H. 4. c. 7.*

Ch. 7. Whereas Commiſſioners have heretofore prepared Men of Arms, and conveyed them to the King out of the Realm, at the charge of the Shires, to the great Impoveriſhment of the Commons; it is to be done ſo no more.

Ch. 8. Nothing ſhall be taken for *Beau-pleader*, but the Statute of *Marlebridge* ſhall ſtrictly be obſerved in this point. *Vid. 52 H. 3. c. 11.*

Ch. 9. A Confirmation of the Liberties of Cities and Boroughs.

Ch. 10. There ſhall be no more Grants of Penſions, Prebends, Churches, or Corrodies at the King's Requeſt by Archbiſhops and Biſhops, *&c.*

Ch. 11. A Prohibition is granted againſt thoſe, who in the Spiritual Courts do ſue their Indictors in Civil Courts.

Ch. 12. Lands holden of the King in Chief, and aliened without Licence, ſhall not be forfeited, but a reaſonable Fine ſhall be taken (of ſuch Lands ſo aliened) in *Chancery* by due Proceſs.

Ch. 13. Lands holden of the King as of ſome Honour, ſhall not be taken into his hands, as if they were holden in Chief of Him, as of his Crown.

Ch. 14. None of what Quality ſoever ſhall maintain Quarrels, nor Parties in the Countries, to the Let and Diſturbance of the Common-Law.

Ch. 16. In every County good and lawful Men, that are no maintainers of evil, or Barretors in the Country, ſhall be aſſigned to keep the Peace.

Ch. 17. Sheriffs, and all others that take Indictments, ſhall take them by Roll indented, whereof one part ſhall remain with the Indictors, and the other with him that takes the Inqueſt, that the Indictments may not be embezeled as they had been in time paſt; ſo as one of the Inqueſt may have one part thereof, to ſhew to the Juſtices when they come to make Deliverance.

Statutes made at Northampton, An. 2 Edw. III.

Ch. 1. Confirms the Great Charter, and that of Foreſts.

Ch. 2. Juſtices of Goal-delivery, and *Oyer* and *Terminer*, procured by *Great* Men, ſhall not be made againſt the Form of the Statute 27 *Edw. I. c. 3.* And Aſſizes, Attaints and Certifications ſhall be taken before Juſtices commonly aſſigned, being good and lawful Men, having knowledg in the Law, and none other, according to the Statute of *Weſtm. 2. cap. 29.* Commiſſions likewiſe of *Oyer* and *Terminer* ſhall not be granted but before Juſtices of the one Bench or the other, or Juſtices Errant, and that for great and horrible Treſpaſſes, and of the King's Special Grace, according to the laſt mention'd Statute.

Ch. 3. None ſhall come with Force and Arms before the King's Juſtices, or other his Miniſters, nor go or ride arm'd in affray of Peace, upon pain of forfeiting their Armour to the King, and ſuffering Impriſonment at the King's Pleaſure. Juſtices and other Officers have power to put this Act in Execution; and the Juſtices of Aſſize ſhall enquire of their Default in that behalf.

Ch. 4. The Statute of *Lincoln*, 9 *Edw. II.* is confirmed; and Sheriffs and Bayliffs of Fee ſhall cauſe their Counties and Bayliwicks to be kept by ſuch as have Lands therein.

Ch. 5. The Manner and Method how Writs ſhall be delivered to the Sheriff or Under-Sheriff, to be executed, according to the Statute of *Weſtminſter* 2. *cap.* 39. and they ſhall be puniſhed as that Statute directs, if they refuſe to return ſuch Writs.

Ch. 6. The Statute of *Wincheſter*, and other Statutes made for keeping of the Peace, to be kept and duly obſerved; and the Juſtices aſſigned ſhall have power to puniſh the Diſobeyers and reſiſters of the Peace.

Ch. 8. No Command ſhall be made under the Great or Little Seal to diſturb or delay Common Right; and the Juſtices ſhall proceed to do Right, notwithſtanding ſuch Commands.

Ch. 9. All *Staples* ſhall ceaſe, and all Merchants may come in and go out with their Merchandize at their pleaſure, according to the Great Charter. And Writs thereupon ſent to all Sheriffs of *England*, and to Mayors and Bayliffs where need ſhall require.

Ch. 11. The Common-Bench ſhall not be removed without Warning by Adjournment of the Parties, that ſo they may not loſe their Proceſs.

Ch. 12. *Hundreds* and *Wapentakes* let to Farm by the King, whether for Term of Life or otherwiſe, ſhall be rejoined again to the Counties; and the Sheriffs and their Heirs to have Allowance for the time paſt; and the ſaid *Hundreds*, *&c.* ſhall never more be given or ſevered from the Counties.

Ch. 15. No Perſon ſhall keep a Fair longer than he ought to do, on pain to have it ſeized into the King's hand, till he hath paid Him a Fine for ſo doing. Alſo every Lord at the beginning of his Fair ſhall cry and publiſh how long it ſhall endure, on pain to be grievouſly puniſhed.

Ch. 16. *Niſi prius*, or Inqueſts taken in Pleas of Lands, ſhall be taken as well at the Requeſt of the Tenant as of the Demandants, notwithſtanding the Statute 12 *Edw.* 2. *cap.* 3. called the Statute of *York*.

Ch. 17. A Writ of Deceit ſhall be maintainable, as well in caſe of Garniſhment touching Plea of Land, as in caſe of Summons in Plea of Land.

Statutes made at Weſtminſter, An. 4 Edw. III. An. D. 1329.

Ch. 1. A Confirmation of the Great Charter, and that of Foreſts, and all other Statutes not repealed.

Ch. 2. Good and Diſcreet Perſons ſhall be aſſigned in all the Shires of *England*, to take Aſſizes, Juries and Certifications, and to deliver the Goals three times in the Year at leaſt. And alſo good and lawful Men in every County, to keep the Peace; and ſuch as ſhall be indicted or taken by them, and are not baylable by Law, ſhall not be let to Main-priſe by the Sheriff, or any other Miniſter, nor otherwiſe delivered than at the Common-Law.

Juſtices of Goal delivery ſhall have power to deliver the Goal of ſuch as ſtand indicted before the Keepers of the Peace; and the Indictments found before the ſaid Keepers ſhall be ſent to the Juſtices of Goal delivery, and they have power to proceed and puniſh Offenders as they do at this Day.

Ch. 6. The Statute made at *Carliſle* 35 *Edw.* 1. *cap.* 2. touching Religious Perſons, is confirmed.

Ch. 7. Executors ſhall have an Action of Treſpaſs for a Wrong done to their Teſtator, as of the Goods and Chattels carry'd away in their Life-time.

Ch. 9. Sheriffs and Bailiffs of Hundreds, and Eſcheators, ſhall have ſufficient in the County wherewith to anſwer the King and his People, in caſe any Perſon complain againſt them.

Ch. 10. Sheriffs and Goalers ſhall receive Offenders, without taking any thing for ſo doing. And the Juſtices of Goal-delivery have power to hear Complaints, and to puniſh ſuch Sheriffs and Goalers as they ſhall find guilty.

Ch. 11. Juſtices of the Benches, of Aſſize, and of *Niſi prius*, ſhall have power to hear and determine Maintenance, Conſpiracy and Champerty, as well as Juſtices in Eyre: and what cannot be determined before them upon the *Niſi prius*, ſhall be adjourned to their own Benches, and be there determined. Note, this Statute is confirmed by 7 *Ric.* 2. *cap.* 15.

Ch. 12. Wines ſhall be ſold at reaſonable rates, and be aſſay'd or try'd twice a year. Corrupt Wines ſhall be poured out, and the Veſſels broken.

Ch. 13. The Statute of 2 *Ed.* 3. *cap.* 2. touching granting of Pardons, is confirmed.

Ch. 14. A Parliament ſhall be holden once a year, and oftner, if need be.

Ch. 15. Sheriffs ſhall let their Hundreds and Wapentakes for the old Farm, and not above: And the Juſtices aſſigned have power to enquire of Sheriffs, and puniſh them, if guilty.

Statutes made at Weſtminſter, 5 Edw. 3. An. Dom. 1339.

Ch. 1. The Great Charter, and that of the Foreſt, is confirm'd.

Ch. 2. Concerning how Purveyance was to be appraiſed; but this is now of no uſe, being taken away by Act of Parliament in K. *Ch.* 2's Reign.

Ch. 3. The Statute of *Carliſle*, made 35 *Ed.* 1. *cap.* 2. is again confirmed.

Ch. 4. The Statute of the laſt Year, *cap.* 9. is confirmed.

Ch. 5. Merchants after the Fair is ended, ſhall ſhut up their Shops, and ſell no Wares there, on pain of forfeiting double the value of ſuch Ware ſold, the Proſecutor to have a fourth part of what ſhall be loſt at his Suit.

Ch. 6. *Niſi prius* ſhall be granted in Attaints, but no Eſſoin or Protection.

Ch. 7. Writs of Attaint ſhall be granted as well in Pleas of Treſpaſs moved without Writ, as by Writ before Juſtices of Record, if the Damages be adjudged above 40*s.*

Ch. 8. The Marſhals of the King's Bench ſhall not bail any committed to their charge; which ſhews that they had formerly much greater Power than now.

Ch. 9. None ſhall be attached upon any Accuſation, nor forejudged of Life or Limb, *&c.* againſt the Form of the Great Charter, and the Law of the Land.

Ch. 10. A Juror that is an *Ambidexter*, and takes Bribes of either Party, and is thereof attainted, ſhall ſerve no more on any Jury, but ſhall be impriſoned and ranſomed at the King's will; and the Juſtices of ſuch Aſſizes, *&c.* have power to enquire and determine according to the Statute.

Ch. 11. Juſtices aſſigned to hear and determine Felonies, ſhall direct their Writs to all the Counties of *England*, where need ſhall be, to take Perſons indicted or outlaw'd for Felony.

Ch. 12. Where the Plaintiff recovers Damages, and the Defendant is thereupon outlaw'd at the King's Suit, no Pardon ſhall be granted of the Outlawry, except the Chancellor be certify'd, that the Plaintiff is ſatisfied of his Damages: With other things concerning Proceſſes in Outlawrys, and Pardons thereupon, and what is to be done for the obtaining of them.

Ch. 13. Ordains what is requiſite, where any Perſon will avoid an Outlawry by Impriſonment.

Ch. 14. Night-walkers and ſuſpected Perſons ſhall be ſafely kept, until they be delivered by the Juſtices aſſigned to deliver the Goal.

Statutes made at York 9 Edw. 3. *Stat.* 1.

Ch. 1. Merchant-Strangers, Denizens, and all others, may freely buy and ſell within the Realm, without interruption, except they be Alien-Enemies. And thoſe that diſturb Merchants within a Franchiſe from ſelling their Commodities, ſhall (upon being convicted) anſwer double Damages to the Party grieved, ſuffer one Year's Impriſonment, and be ranſomed at the King's Will; and the Franchiſe to be ſeized into his hands; and what Puniſhment ſhall be inflicted in caſe of diſturbance, if it be out of a Franchiſe. Yet Aliens ſhall carry no Wines out of this Realm; and appoints who ſhall have power to hear and determine all ſuch Miſdemeanors.

Ch. 2. None ſhall loſe their Land from henceforth by reaſon of *Nonplevin*.

Ch. 3. In a Writ of Debt brought againſt divers Executors, they ſhall have but one *Eſſoin* before Appearance, and but one other after; for they repreſent the Teſtator but as one Perſon. The reſt concerns the Proceſs that ſhall be ſerved againſt them upon their Non-appearance, or for default after Appearance, *&c.* and therefore I refer to the peruſal of the Statute.

Ch. 4. Appoints how a Deed ſhall be tried and proved, that is dated within a Franchiſe where the King's Writ runneth not.

Ch. 5. Juſtices of Aſſize, Goal-delivery, and *Oyer* and *Terminer*, ſhall yearly at *Michaelmas* ſend all their Records and Proceſſes (determined and put in execution) into the Exchequer, which the Treaſurer and Chamberlains there ſhall receive under their Seals, to keep them in the Treaſury: Howbeit the ſaid Juſtices ſhall firſt take out the Eſtreats of the ſaid Records and Proceſſes, to ſend them to the Exchequer as they were wont to do.

The Statute of Mony made at York, 9 Edw. 3. *Stat.* 2.

Ch. 1. None, without the King's Licence, ſhall export any Gold or Silver in Mony or Plate, on pain of forfeiting the ſame.

No falſe Mony, or counterfeit Sterling, ſhall be brought into any of the King's Dominions, on pain of forfeiting the ſame. But all Strangers, of what Realm or Dominion ſoever, may ſafely bring to the Exchanges good Mony or Bullion, and receive convenient Exchanges for the ſame. Ch. 2.

No Sterling Farthing or Half-penny ſhall be molten to make Veſſel, or any other thing, upon forfeiture of the Mony ſo molten, and Impriſonment till one half of the Mony ſo molten ſhall be paid. Ch. 3.

Statutes made at Weſtminſter, 10 Edw. 3. Anno Dom. 1336.

All Statutes not repealed ſhall be kept, holden, and put in execution. Ch. 1.

Pardons ſhall not be granted contrary to the Statute of 2 *Edw.* 3. *cap.* 2. Ch. 2.

He that hath a Pardon of Felony, ſhall within three months after ſuch Pardon find Sureties, before the Sheriff and Coroners, for the good Behaviour, which ſhall under their Seals be returned within three weeks after into the Chancery: And if he find not ſuch Sureties as are there directed, or miſbehaves himſelf contrary to the Peace, the Pardon ſhall be void. Ch. 3.

The Statutes of *Purveyors* made at *Weſtminſter* the ſame 10*th* Year, contain in all five Chapters; but they being now repealed by later Statutes, I ſhall forbear making further mention of them.

Statutes made at Weſtminſter, *Anno* 11 *Edw.* 3.

No Cloths made beyond the Sea, ſhall be brought into the King's Dominions, on pain to forfeit the ſame, and further to be puniſhed at the King's Will. Ch. 3.

Cloth-workers of ſtrange Lands, who come into the King's Dominions, ſhall have the King's Protection, dwell where they pleaſe, and have convenient Franchiſes granted to them. Ch. 5.

Statutes made at Weſtminſter, 14 Edw. 3. *and* 1 *of his Reign of* France, *Stat.* 1.

Holy Church ſhall have her Liberties in quiet. The Great Charter and that of Foreſt be holden in all points. And the City of *London*, and all other Cities and Boroughs ſhall enjoy all their Franchiſes and Cuſtoms, which they have reaſonably had and us'd in times paſt. Ch.

Engleſchiree and Preſentment of the ſame, is hereby wholly aboliſhed and taken away. Ch. 4.

One Prelate, two Earls and two Barons at every Parliament ſhall be choſen and have Commiſſion from the King, to hear and redreſs all Delays of Judgments in the Courts at *Weſtminſter*, with the Methods of their Proceedings therein; and in caſe of great difficulty, the Cauſes were to be brought by them unto the next Parliament, and there ſhall be a final Accord taken what Judgment ought to be given upon them. Ch. 5.

Ch. 6. A Proceſs or Record, which by miſpriſion of a Clerk is defective in any place whereſoever, ſhall be amended without giving advantage to the Party that challengeth the ſame.

Ch. 7. No Sheriff ſhall continue in his Office above one Year, and then another ſhall be choſen in his place (having Lands ſufficient in his Bailiwick) and this ſhall be done yearly at the *Exchequer* the next day after *All Saints*.

Ch. 8. How many Eſcheators are to be in the Realm, by whom they are to be made, and none to tarry in their Office above one Year. Likewiſe a Coroner ſhall have Land in Fee ſufficient in the County whereof to anſwer all People.

Ch. 9. All Wapentakes and Hundreds which are ſever'd from the Counties ſhall be rejoined to them again. The Sheriffs alſo ſhall hold the ſame in their own hands, and put in ſuch Bailiffs and Hundredors (having Lands in the Bailiwicks and Hundreds) for whom they will anſwer.

The reſt only concerns the Conditions upon which the Sheriffs ſhall let their Bailiwicks, *&c.* to farm, and to whom, and what their Qualifications ſhall be, as alſo what Puniſhment ſhall be inflicted on thoſe that offend againſt this Statute.

Ch. 10. Sheriffs ſhall have the keeping of Goals, and ſhall put in ſuch Keepers for whom they will anſwer. But if the Keeper or Under-keeper by *Dureſs* compels a Priſoner to become an Approver, he ſhall have Judgment of Life and Member.

Ch. 11. Acton Burnel. 13 Edw. 1. The Clerk of the Statutes ſhall be reſident upon his Office, and ſhall have Land ſufficient in the ſame County wherewith to anſwer to all Perſons, if he offend.

Ch. 12. There ſhall be one Meaſure and one Weight thro the Realm of *England*; and the Treaſurer ſhall cauſe certain Standards to be made of Buſhels, Gallons and Weights of Braſs, and ſent into every County; and two or more Surveyors ſhall be aſſigned in every County, to ſee that the Weights and Meaſures be according to the Standard, and to puniſh the Guilty, and to command the Sheriff to impriſon them till they make Fine to the King. The ſaid Officers ſhall every Year deliver their Eſtreats into the Exchequer, and ſhall have a fourth part of the Profits for their pains.

Ch. 13. Eſcheators ſhall make no waſt in the Lands of the King's Wards; if they do, the Ward ſhall have an Action of Waſt againſt his Guardian.

Ch. 14. Upon demand of Lands in the King's hands, after four Writs of Search for Him directed to the Treaſurer and Chamberlains of the Exchequer for finding the King's Evidences, he that defends the Lands for the King, ſhall be put to anſwer, as there is ordered; and then Juſtice ſhall not be delay'd, tho the contrary be commanded under the Great or Privy Seal.

Ch. 15. No Pardon of the Death of a Man, or other Felony, ſhall be granted, but only where the King may do it, ſaving the Oath of his Crown.

Ch. 16. Before what Juſtices *Niſi prius*, at the Defendant or Plaintiff's Suit, ſhall be granted and try'd, with other things relating thereunto, for which I refer to the Act it ſelf.

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A Writ of *Juris Utrum* of Lands and Tenements, *&c.* is hereby made maintainable for a Parſon or Vicar. Ch. 17.

Where the Tenant voucheth to Warranty a dead Man, the Demandant ſhall be received to aver that the Vouchee is dead, and that there is none ſuch. Ch. 18.

2. *Another Statute made the ſame* 14th *Year of* Edw. 3.

All Merchants, Denizens and Foreigners (except Enemies) may ſafely come into *England* with their Goods and Merchandize, and ſafely tarry and return, paying the Cuſtoms and Subſidies; the Franchiſes reaſonably granted to Cities and Boroughs being reſerved and ſaved to them. Ch. 2.

3. *A Statute for the Clergy made at* Weſtminſter *the ſame Year.*

Spiritual Perſons Goods ſhall not be taken by Purveyances without the Owner's Conſent. Ch. 1.

The King ſhall not preſent in another's Right, but within three Years after the Avoidance. Ch. 2.

The Temporalties of Biſhops or other People of Holy Church, ſhall not be ſeiſed into the King's hands without juſt Cauſe. Ch. 3.

Eſcheators ſhall preſerve from Waſt and Deſtruction, the Poſſeſſions of Arch-Biſhopricks, Biſhopricks, and other Prelates, during their Vacations; and by and to whom they ſhall be demiſed, *&c.* Ch. 4.

Who ſhall let to farm the Temporalties of Biſhops to the King's Uſe. Ch. 5.

By the fourth Statute made this 14*th Year of* Edw. 3.

It is ordained, that the Realm and People of *England* ſhall not be ſubject nor obedient to the King or Kingdom of *France*.

In a Parliament at *Weſtminſter* held the 15*th* of this King, a Body of Laws was made; but becauſe there were in it ſeveral Articles, which, he ſaid, were expreſly contrary to the Laws and Cuſtoms of the Realm, and his Prerogatives Royal, He therefore, with the Advice and Aſſent of his great Council of Peers, took upon Him to revoke and repeal the ſaid Statutes, by a Proclamation iſſued forth under his Seal for that purpoſe, Dated the firſt of *October*, *An. Dom.* 1341. *Regni ſui* 15.

But even the Peers themſelves, not being ſatisfy'd with this high Strain of Prerogative, did within two Years after join with the Commons in a Bill for the more legal repealing the aforeſaid Statutes, which being paſt into an Act by the King's Aſſent, it ſtands enter'd on the Parliament-Roll of *decimo ſeptimo Edwardi tertii*, and remains a good Law to this day, tho it has never as yet been printed. But becauſe I have already given it at large in the Body of my Hiſtory, I have thought it enough here thus briefly to mention it, leaving the Reader to his Diſcretion to peruſe it as he pleaſes.

A Statute made the 18 *Edw.* 13.

Declaring in what caſes, and for what Offences *Exigents* ſhall be awarded.

Another Statute made the ſame 18 Edw: 3.

Ch. 2. Two or three of the beſt Reputation in the Counties ſhall be aſſigned Keepers of the Peace by the King's Commiſſion, who with other Wiſe and Learned in the Law ſhall have Power to hear and determine Felonies and Treſpaſſes done againſt the Peace, and to inflict Puniſhment according to Law and Reaſon.

Ch. 3. The Sea ſhall be open to all manner of Merchants, to paſs with their Merchandize where they pleaſe.

Ch. 5. No Exigent ſhall be granted againſt one indicted for Treſpaſs, unleſs it be againſt the Peace, or of things contained in the 18 *Edw.* 3. *Stat.* 1.

Ch. 7. This concerning Men of Arms, Hoblers and Archers that were in the King's Service out of *England*, how they ſhall be paid, being become obſolete, I therefore barely mention it.

A Statute of the Clergy *made alſo this Year; but moſt of them now being obſolete, I ſhall only ſet down the Titles of them.*

Ch. 2. Bigamy ſhall not be try'd by Inqueſt, but by Certificate from the Ordinary.

Ch. 3. Prelates ſhall be impeached, unleſs they ſhew the King's Charter of Licence for purchaſing Lands in *Mortmain.*

Ch. 4. In Commiſſions to be made for purveyance, the Fees of the Church ſhall be excepted.

Ch. 5. No Prohibition ſhall be awarded, but where the King hath cognizance of the Cauſe.

Ch. 6. Temporal Juſtices ſhall not enquire of Proceſs awarded by Spiritual Judges.

Ch. 7. No *Scire facias* ſhall be awarded againſt a Clerk for Tythes.

The next that follows in the ſame 18*th* Year, is the Oath to be given to Juſtices, when they take their places; but it is not of Record, as my Lord *Coke* affirms, 4 *Inſtit.* 51. However this is the effect of it, *viz.* to ſerve the King faithfully in their reſpective Offices; to warn Him of any damage; to do Juſtice, to take no Reward; to give no Counſel where the King is a Party; to arreſt and impriſon all that go about to diſturb the Execution of the Common Law, or menace the People that they may not perſue the Law; not to maintain any Suit, nor deny Right, tho by command from the King, or Letters from any other Perſon; to procure the King's Profit; and if found in default, to be at the King's Will in Body, Lands and Goods, 3 *Inſtit.* 144.

Then there is ſet down the Oath of the Clerks of the Chancery, and of the Clerks of Courſe, which they take at this day. But the

Abſtract would be too tedious, and therefore I refer to the Statute-Book for the form of it.

Statutes made at Weſtminſter *7 May 20 Edw. 3.*

The King's Juſtices ſhall do Right to all without reſpect of Perſons, notwithſtanding any Letters or Commands to the contrary; and they ſhall certify to Him and his Council all illegal Commands; they ſhall take no Fee but of the King, nor give Counſel to any where he is Party, upon pain of being at his Will, in Body, Lands and Goods; and for that reaſon their Fees were increas'd. Ch. 1.

The like is ordained to the Barons of the Exchequer, and to diſpatch Buſineſs depending before them without delay. Ch. 2.

Juſtices aſſigned by Commiſſion of Aſſize and Goal-delivery, and their Aſſociates, ſhall make ſuch Oath as is to be enjoin'd them by his Council in Chancery before they receive their Commiſſions. Ch. 3.

None ſhall maintain any other than their own Quarrels for any cauſe whatſoever, in diſturbance of Law, and hindrance of Right, upon pain of having their Body, Lands and Goods to be at the King's pleaſure. Ch. 4.

Juſtices of Aſſize have power to enquire of the Miſdemeanors of Sheriffs, Eſcheators, Bailiffs and their Under-Miniſters, common Imbraceors and Jurors, and to puniſh the Guilty: And the Chancellor and Treaſurer are to hear all Complaints thereof, and give ſpeedy remedy therein. Ch. 6.

The Statute of Labourers *made* 23 Edw. 3. An. Dom. 1349.

All Victuals ſhall be ſold at a reaſonable Price, and the Sellers thereof ſhall be content with a moderate Gain, upon the Penaltys therein preſcribed; and the Mayors and Bailiffs of Cities, Boroughs, *&c.* have power to enquire of Offenders, and puniſh them according to the direction of the Statute; and what theſe ſhall forfeit, if they neglect doing their Duty, beſides the Fine laid on them by the Juſtices for the King. This is obſolete, but deſerves to be renew'd. Ch. 6.

Another Statute of Labourers, *made* 25 Edw. 3. Anno Dom. 1350.

Appoints the ſeveral Wages of Servants and Labourers, and the particular Puniſhments of Perſons offending againſt the true meaning of this Statute, containing eight Chapters, but they are all repealed, or grown obſolete.

The Statute de Natis ultra Mare, *of thoſe that are born beyond Sea,* 25 Edw. 3.

The King's Children, whereſoever born, are inheritable of the Crown of *England*, after the death of their Anceſtors. And Subjects Children born beyond the Sea, out of the Ligeance of *England*, are alſo inheritable, if their Parents at the time of their Birth were within the King's Ligeance, and that the Mother paſſed beyond Sea with the conſent of her Husband. If Baſtardy be alledged againſt any born beyond Sea, the Certificate ſhall be made by the Biſhop of the Place where the Land demanded lies.

A Statute for the Clergy made the ſame Year.

Ch. 1. All Privileges that have been granted to the Clergy, are hereby confirmed; and it is further enacted, that neither the King nor any of his Heirs ſhall take Title to preſent to any Benefice in any other's Right of any time of his Progenitors.

Ch. 2. A Repeal of the Statute of 14 *Edw.* 3. *Stat.* 3. *cap.* 2. touching the King's Preſentment to a Church of another's Right.

Ch. 3. When the King preſenteth to a Benefice in another's Right, his Title ſhall be examined.

Ch. 4. All Clerks convicted of Felony or Treaſon ſhall be delivered to their Ordinaries.

Ch. 5. A Clerk ſhall be arraigned of all his Offences at once.

Ch. 6. A Biſhop's Temporalties ſhall not be ſeized for a Contempt.

Ch. 7. The Ordinary may counterplead the King's Title for a Benefice fallen by Lapſe.

Ch. 8. Cogniſance of Avoidance of Benefices appertaineth to the Eccleſiaſtical Judg.

Ch. 9. Indictments of Ordinaries for Extortion ſhall be put in certainty.

A Statute of Cloths *made alſo the* 25 Edw. 3.

Ch. 1. All Cloths vendible ſhall be meaſured by the King's Aulnager, or his Deputies, who are ſworn to do their Duties faithfully, with their Puniſhment, if they offend. But this Statute as to the Meaſure is altered by the 27 *Ed.* 3. *cap.* 4.

Ch. 2. Merchants-Strangers may buy and ſell within this Realm, without Diſturbance, the Commodities that are therein expreſs'd, and confirms the *Stat.* of 9 *Ed.* 3. *cap.* 1.

Ch. 3. The Penalty to be inflicted on thoſe that foreſtal Wines, Merchandizes, or Victuals, *&c.* But ſee the *Stat.* of 5 *Edw.* 6. *cap.* 14.

Ch. 4. All Gorces, Mills, Wears, Stanks, Stakes and Kiddels, ſet up in the time of *Edw.* 1. and ſince, whereby the King's Ships and Boats are ſo hinder'd, that they cannot paſs in Rivers as they were wont, ſhall be utterly pulled down, never to be renewed.

A Statute of Purveyors *made the ſame Year.*

Ch. 1. By what Meaſure the King's Purveyors ſhall take Corn; and how things purvey'd ſhall be appraiſed, and Tallies made thereof.

Ch. 2. This is the noted Declaration of what Offences ſhall be adjudged both high and petty Treaſon; which, ſince they are commonly given in charge at every Aſſizes and General Quarter-Seſſions of the Peace, I ſhall forbear here troubling my Reader with, and barely content my ſelf with ſetting down one remarkable Clauſe in it, which perhaps is not ſo generally taken notice of, which is this, *viz.* "And becauſe

“ that many other like Caſes of Treaſon may happen in time to come,
“ which a Man cannot think or declare at this preſent time, It is
“ accorded, that if any other Caſe, ſuppoſed Treaſon, which is not
“ above ſpecify'd, doth happen before any Juſtices, the Juſtices ſhall
“ tarry without any going to Judgment of the Treaſon, till the Cauſe
“ be ſhew'd and declared before the King and his Parliament, whe-
“ ther it ought to be judged Treaſon, or other Felony.

No Indictor ſhall be put upon the Enqueſt of the Party indicted. Ch. 3.

None ſhall be condemned upon Suggeſtion without lawful Preſentment. Ch. 4.

Executors of Executors ſhall have Actions of Debt, Account, and of Goods carry'd away of the firſt Teſtators, and Execution of Statutes-Merchants, and Recognizances made unto him, and ſhall alſo anſwer to others ſo far forth as they ſhall recover of the firſt Teſtator's Goods, as the firſt Executors ſhould have done. Ch. 5.

Concerning Purveyors of Timber for the King's uſe, is taken away by the Statute of the 12 *Charles* 2*d*, for taking of Purveyance. Ch. 6.

No Foreſter, nor Keeper of Chaſe, nor any other Miniſter, ſhall gather any Victuals, or other thing, by colour of his Office, without the Owner's good-will, but what is due of Old Right. Ch. 7.

None ſhall be conſtrained to find Men of Arms, Hoblers, or Archers, but by Tenure of Land, or Grant of Parliament. Ch. 8.

* Auncel-Weight ſhall be quite put out, and Weighing ſhall be by equal Balance. Ch. 9.

Every Meaſure ſhall be according to the King's Standard, and ſhall be ſtriked without heap, ſaving the Rents of Lords. Ch. 10.

How the reaſonable Aid, to make the King's eldeſt Son a Knight, and to marry his Daughter, ſhall be demanded and levy'd. This being obſolete, I barely mention it. Ch. 11.

No Perſon ſhall take Profit by Exchange of Gold and Silver, or *è contra*, upon pain of forfeiting the Mony ſo exchanged, except the King's Exchangers, who yet ſhall take but according to the Ordinance before made. Ch. 12.

The Mony of Gold and Silver now current, ſhall not be impaired either in Weight or Alloy. Ch. 13.

Directs what Proceſs ſhall be awarded againſt him that is indicted of Felony. Ch. 14.

The Penaltys to be inflicted on Purveyors who take Sheep for the King's Houſe before Sheering-time, are now taken away by the Act againſt Purveyance. Ch. 15.

By the Exception of Non-tenure of Parcel, there ſhall be no Abatement of the whole Writ. Ch. 16.

Proceſs of *Exigent* ſhall be awarded in Debt, Detinue and Replevin. Ch. 17.

Concerning *Villenage* : All Villains being now ceaſed, I need ſay nothing more of this. Ch. 18.

Notwithſtanding the King's Protection of his Debtor, other Creditors may proceed to Judgment againſt him, with a *Ceſſet Executio* until the King's Debt be paid : And if the Creditors will undertake for the King's Debt, they ſhall have Execution againſt the Debtor both for their own Debts, and likewiſe for ſo much as they have paid the King. Ch. 19.

*

Plate

Ch. 20. Plate of Gold and Silver ſhall be received into the King's Mint by Weight, and not by Number, and ſo alſo ſhall the Mony be returned.

Ch. 21. Concerning how the King's Butler ſhall make Purveyance of Wine, being now become obſolete, I paſs it by.

Ch. 22. He that purchaſes a *Proviſion* from *Rome* for an Abby, ſhall be out of the King's Protection, and any man may deal with him as with a publick Enemy.

The Statute of *Proviſors of Benefices* made this 25 *Edw.* 3. *Stat. 6.*

This was to prevent Collations of Benefices in *England* by the Pope to the Proviſors or Procurers thereof, as well Aliens as Denizens, under the penalty of Impriſonment without Bail, till he made Fine to the King, and Satisfaction to the Party griev'd, if he were taken; but if not, the *Exigent* ſhould run againſt him. I ſhall ſay no more of this Statute here, becauſe I have already given a large Account of it in the Hiſtory among the Eccleſiaſtical Affairs.

Another Statute of Proviſors *made the* 27 Edw. 3.

Ch. 1. A *Præmunire* is granted againſt ſuch as ſue in a foreign Realm, or impeach there any Judgment given in any of the King's Courts, for any Matters whereof the King's Courts may take cognizance. The Penalty is, to be out of the King's Protection, to forfeit all their Lands and Goods, and to be impriſoned and ranſomed at the King's will, if they be found; but if not, they may be put in *Exigent*, and outlawed.

Ch. 2. Pardons that have not in them the Suggeſtion whereupon they are granted, and alſo the Suggeſtor's Name, ſhall be void; ſo are thoſe likewiſe which are granted upon falſe Suggeſtions.

Ch. 4. A Subſidy granted to the King of every Cloth ſold. Note, this Statute concerning the Aulnager's Fees for every Cloth ſold, as alſo the four following Statutes printed at large in the Statute-book, my Lord *Coke* ſays, are not of Record, 4 *Inſtit. p.* 51. and being alſo become obſolete, I omit them.

A Statute of the Staple *made this* 27 Edw. 3.

Ch. 1. Sets forth where the Staple for *England*, *Wales* and *Ireland* ſhall be kept, for Wool, Leather, Wool-fells and Lead; and to what places Merchandizes of the Staple ſhall be carry'd, and the ſeveral Cuſtoms that ſhall be paid for them. Every Merchant-Stranger to be ſworn to hold no Staple beyond the Sea of thoſe Merchandizes. This, tho now obſolete, yet deſerves our notice.

Ch. 2. Safe-Conduct granted to Merchants-Strangers to come and dwell in this Realm, and to depart from it with their Goods when they will; and none of them ſhall be taken by the King's Purveyors without their Conſent, over the Cuſtoms ordained to be paid by the firſt Chapter.

Ch. 3. Concerning what Perſons may buy Wools, Fells, *&c.* and bring them to the Staple. This being now become obſolete, I omit it.

Ch. 4. As alſo the next Chapter concerning Merchants going unto, or returning from the Staple, not to be diſturbed by the Kings Purveyors; and that for the ſame reaſon.

Ch. 5 & 6. So likewiſe Chapter 5*th* and 6*th*, that none of the King's Juſtices, or other Officers, ſhall take cognizance of any Matters belonging to the Staple; and the 7*th* Chapter againſt all Licenſes granted to tranſport the aboveſaid Merchandizes, contrary to the Statute of the Staple. Ch. 7.

Ch. 8. I do likewiſe omit the 8*th* Chapter concerning the Juriſdiction of the Mayor and Conſtables of the Staple; together with the 9*th*, containing the force or effect of a Recognizance acknowledg'd before the Mayor and Conſtables of the Staple, *&c.* Ch. 9.

Ch. 10. There ſhall be but one Weight, Meaſure and Yard thro the Realm; and the Penalty of him who does not weigh by an even Balance.

Ch. 11. That it ſhall be Felony to foreſtal, buy, or give Earneſt for any Merchandizes before they come to the Staple, is now obſolete.

Ch. 12. As alſo that it ſhall be the ſame Crime to carry any Wool, *&c.* into *Scotland*, or to ſell them to any *Scots* man.

Ch. 13. How Merchants rob'd on the Sea, whoſe Goods are brought into the Realm, ſhall be relieved.

Ch. 14. Merchants may bring in Gold or Silver, in Mony or Bullion, to the King's Exchanges, and carry forth as much new Mony, but not old Sterling; but all falſe Mony ſhall be forſeited to the King.

Ch. 15. Concerning Indentures to be made between Carriers of Wool by Water, and the Bailiffs of Towns where they load them. This is now become obſolete.

Ch. 16. As is alſo the next concerning in what manner Houſes ſhall be let for reaſonable Rents in Staple-Towns.

Ch. 17. No Merchant-Stranger ſhalll be impleaded for another's Treſpaſs, or Debt, but upon good cauſe ſhewn. But if any of this Realm be endamaged by foreign Lords or Princes, or their Subjects do not right them, Letters of Mart ſhall be granted to do them Juſtice. Merchants of Enemies Countries ſhall have convenient time by Proclamation, to ſell their Goods, and to depart.

Ch. 18. Merchants of *Ireland* or *Wales*, who cannot ſell their Wool, *&c.* there, may bring the ſame to any of the Staples of *England*. This being now obſolete, I do but mention it.

Ch. 19. None ſhall loſe their Goods for their Servant's Offence, if they had not their Maſter's Command for ſo doing; and ſpeedy Juſtice ſhall be done them after the Law-Merchant, every day and hour.

Ch. 20. Merchants-Strangers ſhall be taken into the King's Protection, and ſhall have preſent Remedy for any Wrong or Grievance done to them in the Country, out of the Staple.

Ch. 21. Is concerning the Election of the Mayor and Conſtables of the Staples, and their Authority, which, as alſo Chapters 22, 23, 24, 25. concerning the Collectors and other Officers of the Staple, being all become obſolete, I omit.

Ch. 26. Credit ſhall be given to Letters brought by Merchants-Aliens, or to their Oaths, of the value of their Goods.

Ch. 27. The Forfeiture of thoſe who before this Statute have tranſported their Wools, *&c.*

The

Ch. 28. The Liberties of the Staples are confirmed, notwithſtanding any Franchiſes granted to Corporate Cities or Towns: howbeit other Mens Liberties, being within the Staple (*viz.* to keep Fairs, Markets, and the like) are ſaved.

Theſe Laws concerning the Staple being now almoſt all repealed, by the Statutes againſt Exportation of Wool, or elſe grown obſolete, I have only ſet down ſome of the Titles of them.

Statutes made at Weſtminſter, Anno 28 Edw. 3.

Ch. 1. Is a Confirmation of all Statutes heretofore made and uſed.

Ch. 2. The Lords of the Marches of *Wales* ſhall be for ever attendant on, and annexed to the Crown of *England*, and not to the Principality of *Wales*.

Ch. 3. No Man, of what Eſtate or Condition ſoever he be, ſhall be put out of Land or Tenement, nor taken, nor impriſoned, nor diſinherited, nor put to death, without being brought to anſwer by due Proceſs of Law.

Ch. 4. How the King ſhall be ſatisfy'd of the Meſne Rates of thoſe Lands which come to his hands by the death of his Tenants.

Ch. 5. Is againſt Exportation of Iron made in *England*, or brought into it, and ſold here; but this is now become obſolete, Iron being one of the Staple Commodities of this Nation.

Ch. 6. All Coroners of the Counties ſhall be choſen in the full Counties, by the Commons of the ſame Counties, of the moſt meet and moſt lawful that ſhall be found in the ſaid Counties, to execute the ſaid Office; ſaving always to the King and other Lords, who ought to make ſuch Coroners, their Seigniories and Franchiſes.

Ch. 7. The Sheriffs of the Counties ſhall be removed every Year, and not abide in the ſame the Year following: And no Commiſſion ſhall be made to him thereof, or renewed for the ſame Year following.

Ch. 8. An Attaint ſhall be granted, as well upon a Bill of Treſpaſs, as upon a Writ of Treſpaſs, without having regard to the quantity of Damages.

Ch. 9. No Writ ſhall hereafter be directed to the Sheriff, to charge him to ſummon a Jury to indict any man.

Ch. 10. The Penalty of the Mayor, Sheriffs, *&c.* of *London*, if they do not redreſs Errors and Miſdemeanors there; and in what Counties the Tryal thereof ſhall be.

Ch. 11. Hue and Cry ſhall be levied, and freſh Suit made after Robbers from Town to Town, and from Country to Country; and the Penalty of the Country, if Robbers offending therein be not taken within forty days.

Ch. 12. How Purveyances made to the King's uſe, ſhall be paid for, is now taken away.

Ch. 13. As alſo the 13th Chapter concerning packing of Wool.

Statutes

Statutes made at Weſtminſter, 31 Ed. 3. An. Dom. 1357.

Ch. 1. A Confirmation of the Great Charter, and the Charter of the Foreſt.

Ch. 2. No Wool ſhall be bought by Fraud to abate the Price thereof: Alſo Balances and Weights for Wool ſhall be ſent to all the Sheriffs of *England*, according to which every Perſon ſhall make theirs without Fee or Reward; and the Penalty to the King for buying and ſelling by any other Weight. This is become obſolete, but deſerves to be renew'd.

Ch. 3. If any Man or Town be charged with the Goods of Fugitives and Felons, and will, in diſcharge thereof, alledg another that is chargeable therewith, they ſhall be heard, and Right done thereupon.

Ch. 4. By what means Extortion in Biſhop's Officers for Probats of Teſtaments ſhall be redreſs'd.

Ch. 5. If any ſell a Tun or Pipe of Wine not gag'd, he ſhall forfeit the ſame Wine, or the value thereof, to the King.

Ch. 8. What Refuſe ſhall be made of Wool. The Contents of a Sack and Stone of Wool, *&c.*

Ch. 9. Gives the Chancellor and Treaſurer, with the Advice of others of the King's Council, Power to defer the tranſporting of Wool, when they judg it neceſſary. This is obſolete.

Ch. 10. Every man that brings Victuals to *London*, may freely ſell the ſame, without being diſturb'd by any. And the Mayor and Aldermen of the ſaid City may redreſs the Defaults of Fiſhmongers, Butchers and Poulterers there.

Ch. 11. To whom the Ordinary may commit the Adminiſtration of the Goods of him that dieth inteſtate. The Benefit and Charge of an Adminiſtrator.

Ch. 12. The Lord Chancellor and Treaſurer, taking to them the Juſtices and other ſage Perſons as they ſhall think fit, ſhall examine erroneous Judgments given in the Exchequer.

Ch. 14. The Eſcape of Felons, and Chattels of Felons, Fugitives and Clerks convict, adjudg'd by the King's Juſtices, ſhall be levy'd as they ſhall fall.

Ch. 15. Every Sheriff ſhall hold his Turn yearly one time within the Month after Eaſter, and another time within the Month after *Michaelmas*, on pain to loſe his Turn for the time.

Another Statute call'd that of Herrings, *made the ſame Year, but of no concern to us at this day: However I will give you the Titles of them, ſince they ſhew us the Antiquity of our Fiſhing-Trade in the Narrow Seas.*

Ch. 1. Herrings ſhall not be bought or ſold on the Sea; and at what time they ſhall be ſold.

Ch. 2. The Order and Time of bringing and ſelling of Herring at *Yarmouth* Fair. How many Herrings ſhall be accounted a Hundred, and how many a Ten thouſand, and who ſhall govern the Fair.

Ch. 3. The Chancellor and Treaſurer, with the Judges and other the King's Council, as they ſhall think fit, may take order for the buying and ſelling of certain Fiſh and Wine.

A third Statute of the ſame 31*ſt* Year concerning Fiſh, and the Price of Dogger-Fiſh, *&c.* being now become obſolete, I omit.

Statutes made at Weſtminſter, 34 Edw. 3. Anno Dom. 1360.

Ch. 1. What ſort of Perſons ſhall be Juſtices of the Peace, and what Authority they ſhall have. They may hear and determine at the King's Suit all manner of Felonies and Treſpaſſes. Commiſſions of general Enquiries granted within any Seigniories, ſhall ceaſe: And the Fines to be made before Juſtices for Treſpaſſes committed, to be reaſonable.

Ch. 2. Concerning Purveyance to be made only for the King, the Queen,
Ch. 3. and the King's eldeſt Son: And when ſuch Purveyances ſo made ſhall
be paid for, I only mention them.

Ch. 4. Sheriffs and others ſhall array their Pannels out of the Vicinage, not ſuſpected nor procured; on pain of being puniſhed by the Juſtices that take ſuch Enqueſts both to the King and Party grieved, according to the quantity of their ſaid Treſpaſs and Damage.

Ch. 5. Juſtices of the Peace ſhall have power to enquire of Weights and Meaſures. *Auncel* Weight ſhall be wholly laid aſide. Every buying and ſelling ſhall be by equal Balance; and the Offender grievouſly puniſhed both at the King's and Party's Suit.

Ch. 7. Attaint ſhall lie as well in Pleas Real as Perſonal; and ſhall be granted to the Poor (who ſhall affirm they have nothing whereof to make Fine, ſaving their Countenance) without Fine, and to all others by eaſy Fine.

Ch. 8. If any of the Jurors be accuſed by either of the Parties for taking a Bribe to give his Verdict, the Juſtices may preſently try it by a Jury then alſo to be taken. And if it be proſecuted by any other than one of the Parties, he ſhall have the Fine; but if by one of the Parties, he ſhall recover Damages by the Aſſeſſment of the Enqueſt ſo taken; and the attainted Juror ſhall be impriſoned for a Year, not pardonable for any Fine. The Suit may alſo be proſecuted before other Juſtices in form above.

Ch. 12. There ſhall be no Forfeiture of Lands for Treaſon of dead Perſons not attainted in their Lives-time.

Ch. 13. By what ſort of People, and in what Place and Manner an Eſcheator ſhall take his Enqueſt.

Ch. 14. In what Court Traverſes of Offices found before Eſcheators ſhall be try'd.

Ch. 15. A Confirmation of thoſe Alienations which the Tenants of King *Henry* III. and other Kings before Him, did make.

Ch. 16. The Plea of *Non-claim* of Fines ſhall not hereafter be taken nor holden for any Bar.

Ch. 17. Merchandizes may be carry'd into, and brought out of *Ireland*, without Fine or Ranſom, ſaving to the King his antient Cuſtoms and other Duties.

They who have Lands in *Ireland*, may carry their Goods thither, and bring them thither, paying their Customs, *&c.* to the King. Repealed as to Cattel by 18 *Car.* 2. *cap.* 2. Ch. 18.

No Cuſtom or Subſidy ſhall be paid for Canvas to pack Wool in. Ch. 19.

A Hawk taken up ſhall be deliver'd to the Sheriff, who after Proclamation in all the conſiderable Towns of the County, if it be challenged, ſhall deliver her to the right Owner, paying the Coſts, while ſhe was in his Cuſtody, *&c.* Ch. 20.

An Ordinance of *Herring*, made 35 *Edw.* 3. 1361. being now obſolete, I omit.

Statutes made at Weſtminſter, 36 Edw. 3. An. Dom. 1362.

A Confirmation of all former Statutes. Ch. 1.

A Confirmation of the former Statute concerning Purveyance for the King and Queen, and that ſpeedy Payment ſhall be made. This with the third Chapter concerning the Penalty of Purveyors, which ſhall receive a Reward to ſpare or charge any one, and the 4*th* Chapter, that Commiſſioners ſhall be awarded to enquire into their Behaviour, I barely mention. Ch. 2. Ch. 3. Ch. 4.

None ſhall keep any more Horſes for the King than be aſſigned unto him. Ch. 5.

It is Felony for any Subject's Caterer to buy any thing, but by the conſent of the Owner. Ch. 6.

The 7*th*, 8*th* and 9*th* Chapters being concerning the Juriſdiction of the Mayor and Conſtables of the Staple, with other Matters relating to it, I omit. Ch. 7, 8, 9.

For the redreſs of divers Miſchiefs and Grievances which daily happen, a Parliament ſhall be holden every Year, as was formerly ordained by 4 *E.* 3. 14. Ch. 10.

That in the Commiſſions of Juſtices of the Peace, and of Labourers, expreſs mention be made, that the ſame Juſtices make their Seſſions four times by the Year; that is to ſay, one Seſſion within the *Utas* of the *Epiphany*; the ſecond within the ſecond Week of *Lent*; the third betwixt the Feaſts of *Pentecoſt* and of St. *John Baptiſt*; the fourth within the eight days of St. *Michael.* Ch. 12.

An Eſcheator ſhall have no Fee, nor commit Waſt in Lords Lands. Thoſe Lands which be ſeized upon an Enqueſt taken before an Eſcheator, ſhall be let to farm. Ch. 13.

Pleas ſhall be pleaded in the *Engliſh* Tongue, to prevent the Miſchiefs which have happen'd to divers Subjects of this Realm, by their not underſtanding what has been pleaded for or againſt them; and the better to govern themſelves without offending of the Law, as alſo to defend their Heritages and Poſſeſſions; but they ſhall be enter'd and enrolled in *Latin*. This deſerves our more particular notice, becauſe ever ſince the paſſing of this Statute, all Pleadings have been continued in *Engliſh*; whereas before this time from *William* the Firſt, they were all in the *French* Tongue. Ch. 15.

Statutes made at Weſtminſter, 37 Edw. 3. An. Dom. 1363.

Ch. 1. A Confirmation of former Statutes.

Ch. 2. An *Identitate Nominis* ſhall be granted upon the wrongful Seiſure of the Lands, Goods or Chattels of any Perſon (outlaw'd for want of a good Declaration of his Sirname) to diſcharge him, as hath been uſed in times paſt, *&c.*

Ch. 4. The Clerk of the Remembrance ſhall ſit againſt the Clerk of the Pipe, to take notice of, and imbreviate all Diſcharges in the Pipe, that all Proceſs thereupon may ceaſe, and upon ſuch diſcharge that the Summons of the Pipe be withdrawn.

Ch. 7. Goldſmith's Work ſhall be of good Sterling, and marked with his own Mark, made known to the Surveyor thereof: and after it is by him aſſayed, he ſhall ſet to it the King's Mark, and then the Goldſmith his. None making white Veſſel ſhall meddle with Gilding, *&c.* This Chapter, as my Lord *Coke* affirms, is not of Record, 4 *Inſtit.* 51.

Ch. 17. In what caſe a Writ ſhall not abate by exception of acknowledgment of Villenage.

Ch. 18. Before whom the Promoters of Suggeſtions to the King ſhall find Surety to perſue the ſame, and the Penalty on them who cannot make good ſuch Suggeſtions.

Ch. 19. He that ſteals and carries away a Hawk, not obſerving the Ordinance of 34 *Edw.* 3. *cap.* 20. ſhall be deemed a Felon. Neither is this on Record, as is ſaid 4 *Inſtit.* 51.

Statutes made at Weſtminſter, 38 Edw. 3. An. Dom. 1364.

Ch. 1. Former Statutes ſhall be kept and duly executed in all points.

Ch. 2. Any Merchant may trade in more Merchandiſes than one. This repeals a Statute of the laſt Year, and therefore not mentioned above. Alſo who only may tranſport Gold or Silver.

Ch. 3. All Fines ſhall be levied in the Preſence of the Pledges, and they to know the Sum how much before they depart.

Ch. 4. All penal Bonds in the third Perſon ſhall be void.

Ch. 5. Any man may wage his Law (by ſufficient People of his Condition) againſt *Londoners* Papers; and the Creditor ſhall take Surety otherwiſe, if he pleaſe, but not put the Party to plead to the Enqueſt, unleſs he has a mind ſo to do.

Ch. 7. A Confirmation of the Statute of the Staple, made *Anno* 27. *Ed.* 3.

Ch. 8. No Owner ſhall loſe his Ship for a ſmall thing found that is in her uncuſtomed, without his knowledg.

Ch. 9. If the Promoter of a Suggeſtion made to the King cannot make it good, he ſhall be impriſoned, till the Party grieved be ſatisfy'd his Damages, and Fine be made to the King.

Ch. 10. A Confirmation of the Statutes made for Wines.

Ch. 11. All Merchants Denizens that are not Artificers, may go into *Gaſcoigne* to fetch Wines; and Aliens may bring Wines into the Realm.

Ch. 12. A Juror taking Reward of either Party to give his Verdict, and be attainted of it by Proceſs contained in the Article of 34 *Edw.* 3. *cap.* 8. ſhall pay ten times ſo much as he hath taken: and all Embraceors that procure ſuch Enqueſt ſhall incur the like Puniſhment; and if they have not wherewithal, ſhall ſuffer a Year's Impriſonment.

Another Statute made the ſame Year, ſetting forth the ſeveral Enormities of Citations, and Impetrations of Benefices obtained from *Rome*, and the Penalties incurred thereby; which being obſolete, I only give you the Contents of it.

A Confirmation of the Great Charter, and the Charter of the Foreſt, and a Repeal of thoſe Statutes that be made to the contrary. Ch. 1.

None ſhall be put to anſwer an Accuſation made to the King without Preſentment, or ſome matter of Record, or by due Proceſs and Writ Original: And what is done to the contrary, ſhall be void in Law, and holden for Error. Ch. 3.

Commiſſions of Enquiry ſhall be made to the Juſtices of both Benches, of Aſſize, or of the Peace, with others of the moſt worthy of the Country, ſave in the Office of the Eſcheatorſhip, or ſomething touching the ſame. Ch. 4.

None ſhall be an Eſcheator, unleſs he have 20*l.* of Land at leaſt, in Fee, and do his Office in proper Perſon; and if any other be, he ſhall be put out. Ch. 5.

The Party chargeable by the Eſtreats of Green-wax, upon payment ſhall ſee the Rolls themſelves under Seal, and what is paid ſhall be totted by the Sheriff, for default whereof he ſhall pay the Party that is afterwards damnify'd treble Damages, and beſides make Fine to the King, *&c.* Ch. 9.

Children born beyond the Sea in any of the King's Dominions ſhall be inheritable in *England*. *St.* 25 *E.* 3. Ch. 10.

No Enqueſts but Aſſizes and Deliverances of Goals ſhall be taken by Writ of *Niſi prius*, before the Names of all that are to paſs thereupon be returned into Court. When the Sheriff ſhall array the Pannels in Aſſizes, under the forfeiture of 20 *l.* and when the Returns thereof ſhall be made by the Bailiffs to the Sheriffs upon the like Penalty; and alſo what ſort of Perſon ſhall be returned upon Enqueſts. Ch. 11.

Statutes made An. 43 Edw. 3.

The King's Butler, or his Lieutenants, ſhall take no more Wine than he hath in Command, on pain of Impriſonment, and to be ranſomed at the King's Will: and after ten days the Merchant may ſell the Reſidue, notwithſtanding any Arreſt made upon them by the Butler, *&c.* Ch. 3.

Statutes made at Weſtminſter, 45 Edw. 3. Anno Dom. 1371.

A Confirmation of the Great Charter, and that of the Foreſt in all points. Ch. 1.

The Statute of *Wears* made 25 *Edw.* 3. *cap.* 4. ſhall be put in due execution; and if any Annoyance be done, it ſhall be pulled down by due Proceſs, according to the ſaid Statute. And whoever ſhall again repair or ſet up ſuch Annoyance, ſhall upon Conviction pay 100 Marks to the King, and ſo for enhauncing them. Ch. 2.

Ch. 3. A Prohibition (and an Attachment thereupon) ſhall be granted, where a Suit is commenced in the Spiritual Court for the Tythes of Underwood above 20 Years growth, in the name of *Silva cædua.*

Ch. 4. No Impoſition or Charge ſhall be put upon Wools, Wool-fells and Leather, other than the Cuſtom and Subſidy already granted to the King, and that in no ſort without the Aſſent of Parliament; and if any be, it ſhall be holden for none. See 11 *R.* 2. *cap.* 9. whereby this Law is confirmed.

Statutes made at Weſtminſter, 50 Edw. 3. An. Dom. 1376.

Ch. 1. A Confirmation of the Liberties of Holy Church.

Ch. 2. The Great Charter, and the Charter of the Foreſt, to be kept in all points.

Ch. 4. No Prohibition ſhall be allowed after Conſultation duly granted, provided the Matter in the Libel of the ſaid Cauſe be in no wiſe changed.

Ch. 5. None ſhall arreſt Clerks or other Perſons of Holy Church, attending on Divine Service, on pain of grievous Forfeiture; ſo that Colluſion be not found in any ſuch Perſons or Clerks.

Ch. 6. Fraudulent Aſſurances of Lands or Goods to deceive Creditors, ſhall be void, and the Creditors ſhall have Execution of the ſame, as if no ſuch Gift had been made.

Ch. 7. Woolen Clothes ſhall not be tranſported beyond Sea, nor any Subſidy paid, before they be fulled.

Ch. 8. Clothes, called *Frize-Ware,* made of *Iriſh* Wool, ſhall pay no Subſidy nor Aulnage, and the reaſon wherefore they ſhall not.

The

The Lord Chief Juſtice Hale'*s Account of the State and Progreſs of the Laws during this King's Reign.*

KING *Edward* the Third ſucceeded his Father, his Reign was long, and under it our Law improv'd to its greateſt height; the Judges and Pleaders were very Learned in their Pleadings, too ſomewhat more poliſh'd and regular than in the time of *Edward* the Firſt and Second: they had neither unneceſſary Length, nor yet any Obſcurity; they were plain and ſkilful, and the Rule of Law, eſpecially in relation to real Actions, and Titles of Inheritance, very learned and exact, exceeding thoſe of the time of *Edward* I. ſo that about the latter end of this King's Reign the Law ſeemed to be near its Meridian.

The Reports of this time run from the beginning of his Reign to the end, except ſome few Years, as between the 10*th* and 17*th*, and between the 30*th* and 33*d* of *Edward* 3*d*; yet thoſe very omitted Years are extant in antient Manuſcripts, which are in many hands. The Book of Aſſizes is a Collection of the Aſſizes or Trials that happen'd in this King's time, from the beginning of his Reign to the end, extracted out of the Year-Book and Reports of thoſe that attended the Aſſizes in the Country.

Yet the Juſtices Itinerant continued by intermitted Viciſſitudes till about the 4*th Edward* III. and ſome of them till 10*th Edward* III. their Juriſdiction extended to Pleas of the Crown, or Criminal Caſes, Civil Suits and Pleas of Liberty, and *Quo Warranto*; the Reports thereof are not printed, but are in many Hands in Manuſcript, of the Times of *Ed.* I. *Ed.* II. and *Ed.* III. full of excellent Learning, beſides ſome few broken Reports of thoſe Eyres, eſpecially in *Cornwall*, *Nottingham*, *Northampton* and *Derby* Shires, are collected by *Fitz-Herbert*. After the 10*th* of *Ed.* III. I do not find any Juſtices *Errant ad Communia Placita*, but only *ad Placita Foreſta*. Other things that concern'd thoſe Juſtices *Itinerant* were ſupplied and tranſacted in the Common Bench. The King's Bench and Exchequer were then for *Placita de Libertatibus*. There were alſo Juſtices of Aſſize, *Niſi prius*, *Oyer* and *Terminer*, and *Goal-Delivery* for Aſſizes and Pleas of the Crown. Thus much for the Reign of *Ed.* 3. and the Laws of that time.

Church

Church Affairs in this King's Reign, relating chiefly to the great Difference concerning Papal Proviſions.

What follows taken from Brady.

I Have from Dr. *Brady*'s *Compleat Hiſtory* given you an Account of ſuch Eccleſiaſtical Affairs as could not be well inſerted into the precedent Reigns; particularly concerning that great Diſpute between the Pope and the King, about *Proviſions* or *Nominations* to Biſhopricks, and other Eccleſiaſtical Dignities; againſt which divers ſevere Statutes were made in this Reign, the Subſtance of which drawn from the Parliament-Rolls and printed Statutes, you will find in the enſuing Sheets; and therefore I have purpoſely omitted taking any notice of them among the Temporal Laws made under this King.

The old Controverſy was ſtill kept on foot *inter Regnum & Sacerdotium* (as they then term'd it) that is, between the Secular and Eccleſiaſtick Governments, or rather between the King and Pope, concerning the *Regalia* in Church Matters, and the Privileges of the Clergy.

See the Letter at large in Dr. B's Append. *from* Rot. Rom. 4 Ed. 3. n. 2.

The King, in the fourth Year of his Reign, wrote to Pope *John* XXII. concerning the Treaſurerſhip of *York*, which He had given by *Proviſion* to a Cardinal, againſt the Rights of his Crown and Prerogative, and to the ineſtimable Damage of the Kingdom; and therein beſeeches Him, that He would revoke his ſaid *Proviſion*, and direct the Cardinal not to contend againſt *William de Maza* his Clerk (then in poſſeſſion of it by his Preſentation) in ſuch a Novelty and Uſurpation; it being his Right, and always had been that of his Progenitors, in the Vacancy of the Arch-Biſhoprick, to preſent to that Dignity; and to ſtrengthen that Right, he vouches a Precedent in the Court of King's Bench in the time of his Grandfather *Edward* I.

Ibid.

He likewiſe at the ſame time wrote to *Robert de Wodehouſe*, Arch-Deacon of *Richmond*, wherein He acquainted him, that He had notice, that he and ſome others were contriving by divers Proceſſes, to put the Cardinal into actual Poſſeſſion of the ſaid Treaſurerſhip of *York*, to the great prejudice of his Crown; and therefore ſtrictly prohibited him from doing any thing to the impairing of his Right; and in caſe any thing already had been done by himſelf or others, thro his means or procurement, that he ſhould without delay revoke it; and ſo behave himſelf in this matter, that He might not have cauſe to chaſtiſe him as a Violator of the Rights of his Royal Dignity; and much after the ſame manner the King directed his Writs to theſe underwritten, *viz.*

The Arch-Biſhop of *Canterbury.*
The Biſhop of *Lincoln.*
Monſieur *Marmyon.*
The Biſhop of *Worceſter.*
The Biſhop of *Saliſbury.*
The Prior of *Lewis.*
The Prior of *Linton.*
The Dean of the Church of *Aukland.*
Mr. *Richard de Byntworth.*
The Arch-Deacon of *Lincoln.*
Mr. *Iſcher de Concoret.*
Mr. *Guido de Calm.*

Rot. Rom. n. 10. m. 3. *printed in the Dr's Append. n.* 98.

In the tenth Year of his Reign the King wrote to Pope *Benedict* X. that his Progenitors had long ſince founded and endowed the Church of *England*, and freely collated to the Cathedral Churches by their Royal Right; that afterwards upon the Petition of the Clergy, and for reverence to the Pope, and at his requeſt, the King had granted to the Chapters of Cathedral Churches the Power of chuſing a Biſhop, when the See became void, ſaving to Him and his Succeſſors the Prerogative, that whenever the Church did ſo become void, the Chapter ſhould acquaint Him with it, and make their requeſt to Him for his Licence to chuſe a Biſhop, and when he was ſo choſen, then to preſent him to the King for his Aſſent, before they proceeded further in the Buſineſs of his Election; and then after he had been confirm'd, he was to requeſt of the King the Temporalties belonging to the Biſhoprick, and do Him Fealty for the ſame: and whatever was done againſt this Form was to be void. That the Biſhoprick of *Norwich* being vacant, He had given the Prior and Chapter leave to chuſe, and they having ſo done, had preſented their Elect to Him for his approbation; but He having a deſire to be fully ſatisfied concerning ſomething he had heard of him, before He gave his Conſent to their ſaid Election, by the Advice of his Wiſe Men He gave him a ſhort Day to receive his Anſwer: But he ſcornfully rejected this way of proceeding, and proſecuted the Buſineſs of his Election in the Court of *Rome*, to the King's reproach, and in contempt of his Right, the Suppreſſion of his Royal Prerogative, and manifeſt Danger of Diſinheritance. Wherefore He beſought his Holineſs's favour to take the Premiſes into due conſideration, and deny the Biſhop-Elect any Audience for the confirmation of his Election, until he had obtain'd his Royal Aſſent, according to the Form aforeſaid, which He was ready to grant without more ado, if there ſhould be no reaſonble cauſe to oblige Him to the contrary: Concluding, that if He ſhould not have taken notice of this Supplication of the Elect of *Norwich* to the Pope, yet his Subjects would not ſuffer Him to paſs by ſuch an Encroachment.

Rot. Rom. 16 Ed. 3. n. 2.

After this the King apprehending that the Pope's Chaplains and Auditors of his Sacred Palace (to whom He uſually therein refer'd the hearing of ſuch Cauſes) tho otherwiſe good Lawyers, might yet be ignorant of the Laws and Cuſtoms of *England*, wrote to them likewiſe, and gave them notice, that all Cauſes about the *Jus Patronatus*, or Right of Patronage of Benefices whatſoever, were always pleaded, determin'd, and ended in his Court, before his Juſtices, and ought not to be diſcuſs'd any where elſe. That if any Man marry'd a Woman that was Patroneſs of any Church or Eccleſiaſtical Benefice, and had Iſſue by her, and ſhe dy'd before him; upon any Vacancy he was to preſent during his Life, and his Clerk was to be inſtituted by thoſe unto whom it belonged: and further, that if any Tenants *in Capite* died, poſſeſs'd of Lands, to which the Patronage of any Benefices were annexed, then if there happen'd any Vacancys after the Death of the Tenant, while the Lands were in the King's hands, it was his Right to preſent them; and therefore deſired, that if any of theſe matters came before them, they might be duly conſidered, and nothing done therein, to the prejudice of his Crown, nor of the Laws of his Kingdom.

Vid. *Stat. at large* 14 Ed. 3.

And that theſe Preſentments, as alſo thoſe made in the Vacancies of Arch-Biſhopricks, Biſhopricks, Pleas of a Plenarty, or the Church's being full, was no more an Exception or Plea againſt the King, than if they had been made in right of his Crown, until by a Statute for the Clergy, enacted upon the Petition of the Arch-Biſhops, Biſhops, and Clergy, in the fourteenth Year of his Reign, *Chap.* 2. He granted it ſhould be a bar to Him and his Heirs for the future; for before that, the King had his Remedy againſt the Incumbent, if he had not been duly preſented: for at that time Inſtitution, tho upon a wrong Preſentation, made a Plenarty againſt a common Perſon; but to make it good againſt the King, Induction, or actual Poſſeſſion of the Church was alſo required: yet before this Statute neither could be pleaded againſt Him.

Rot. Parl. 17 Ed. 3. n. 59.

In the ſeventeenth Year of his Reign, there was great Complaint made in Parliament, of Strangers holding ſo many Benefices in *England*; that the Alms were not beſtow'd, as they were wont; that much of the Treaſure of the Land was carry'd beyond Sea, for the maintenance of the King's Enemies; the Secrets of the Nation diſcover'd, and by this means the able and loyal Clerks of the Nation were leſs advanced: that of late there were many Cardinals made, to two of whom the Pope had granted by his Bulls Benefices in this Land to the value of ſix thouſand Marks; that the Commons underſtood, that one of the Cardinals, to wit the Cardinal of *Perigort*, was the fierceſt Enemy, and the moſt averſe to the King's Deſigns of any in the Court of *Rome*; that in a little time by ſuch Grants the Nation would be filled with Strangers, and no Clerk of this Kingdom, tho the Son of never ſo great a Lord, nor any other, would find a Benefice worth having, to which he could be advanced; and this to the great damage of the King and whole Community, by reaſon of ſuch Reſervations and Proviſions. Of which things the Commons pray Remedy, for that they could not, nor would any longer endure it, becauſe all the Foundations and Advowſons of Arch-Biſhopricks, Biſhopricks, Abbys, Priories, Churches Parochial, and the whole Spiritual Revenue of this Land, were of the Foundations of our former Kings, Earls, Barons, and Commons: and therefore that it would pleaſe the King to write to the Pope, under his Great Seal, and the Peers and Great Men of the Land under their Seals, that He would ceaſe from putting theſe Burdens on the Nation, and revoke what He had done: And if any of the Peers or Great Men would not ſeal ſuch a Letter, the Commons ſhould not hold him for a Well-wiſher to the King's Profit, or their own; and in caſe the Pope ſhould not comply with what was deſired, they pray'd the King to encourage and maintain ſuch as ſhould, and would endeavour to remove this Burden, and put ſuch out of his Protection as would not comply. They alſo pray Him to command all the Peers and Great Men of the Land to ſtay at this Parliament quietly, until theſe things ſhould be perfected and ſealed as above: and for the great damage that might happen in the mean time, that He would pleaſe to grant his *Prohibitions* to the Miniſters and Proctors of the Great Biſhops, not to intermeddle in this matter, until the Pope had wrote back his Pleaſure.

The Anſwer to this was, that the King well underſtood the miſchief, Ibid. and was pleaſed that the Great Men and Commons ſhould order Remedy and Amendment, and He would agree to it; and alſo He conſented that Letters ſhould be wrote to the Pope about this matter, as well by Himſelf, as by the Great Men, and likewiſe by the Commons.

And then the Earls, Barons, and other Nobles, and the whole Ib. n. 10. Commonalty of the Realm, further pray'd the King, that for the avoiding and ſetting aſide the Damages, Grievances, and Oppreſſions of the People, and Holy Church of *England*, as well of Benefices as of Firſt-fruits; and by Impoſitions of Tenths, and other Burdens, in Diſheriſon both of the King and his Crown, and of the ſaid Earls, Barons, and other Nobles, that He would pleaſe to command that certain Petitions of the Earls, Barons and Commons of the Realm, offered in the time of his Grandfather, at his Parliament holden at *Carliſle* in the five and thirtieth Year of his Reign, and alſo the Agreement and Judgment made upon them in that Parliament, ſhould be again inquired into and conſider'd. So this their Prayer being granted, ſearch was made in the Rolls and Remembrances of the ſaid Parliament; and the ſaid Statute being found accordingly, the ſaid Statute of *Proviſors* is here recited at large, but ſince it is already ſet down among the Eccleſiaſtical Affairs of that King's Reign, I refer the Reader to it. After Recital, that ſerves as a Preamble to the preſent Statute, it follows to this effect:

Wherefore the King (viz. *Edward* the *Third*) in this preſent Par- Ibid. liament, at the Suit of the Commonalty, and upon their Suggeſtions by their Petition before Him and his Council, of the many Damages and Grievances that have divers times happen'd by ſuch Proviſions and Reſervations, as well of Benefices as Firſt-fruits, and other things, as alſo by Impoſitions of Tenths and other Burdens lately impoſ'd by the Pope, to the *Slander, Diſhonour and Depreſſion of the whole Church of* England, *and diſinheriting of our Lord the King and his Crown, and the Nobles of the Kingdom, and in Offence and Deſtruction of the Laws and Rights thereof, and Subverſion of the State of the whole Realm, againſt the Will of God, and the good Deſign of the Founders of thoſe Benefices*, and againſt the Proviſion, Ordinance, Accord, Decree and Conſideration aforeſaid, made by his ſaid Grandfather: They (*viz.* all the Eſtates above-mention'd) humbly pray the King, that He would pleaſe to have regard to the Church of *England*, and the diſinheriting of Himſelf, the Earls, Barons, Nobles and Commonalty, and ordain Remedy. Wherefore He by Aſſent of all the Parties aforeſaid, hath Provided, Ordained, Decreed, *&c.* that as well within the Franchiſes of the Cinque-Ports, as elſewhere upon the Sea-Coaſts, and thro all the Counties of the Kingdom, open Proclamation ſhould be made, that no Perſon, of what Eſtate or Condition ſoever he was, whether Stranger or Denizen, ſhould from hence-forward bring, or cauſe to be brought into *England*, upon grievous forfeiture to the King, any Letters, Bulls, Proceſs, Reſervations, Inſtruments, or other things prejudicial to Him or his People, or to deliver them to any Arch-Biſhops, Biſhops, Abbots, Priors, Earls, Barons, or others within the Realm, and that none by virtue of ſuch *Proviſions* or *Reſervations*, ſhould receive any Benefices of Holy Church; and likewiſe that no Perſon, upon the Forfeiture aforeſaid, ſhould receive or take ſuch Letters, Bulls, Proceſs, or Inſtruments touching ſuch *Proviſions* and *Reſervations*, nor by reaſon thereof make *Inſtitution* or *Induction* into, or any other manner of Execution of them; and that none do, or ſuffer to be done, any other thing that might prove prejudicial to the King or his People, or which may damage the Rights of his Crown, or the Proviſions, Ordinances, Accords, Decrees, &c. aboveſaid.

And alſo it was further there agreed and enacted, that diligent ſearch ſhould be made in all Places needful, for all and every ſuch Perſons coming into the Kingdom; and that thoſe who ſhould be ſeiz'd by ſuch Search, or Enqueſt to be taken, or by other Information, bringing in any ſuch *Letters*, *Bulls*, *Proceſs*, *Reſervations*, *Inſtruments*, or other things prejudicial to the King or his People, and all thoſe who by virtue of them ſhould receive any Benefices, and place themſelves in, or be received into them; and alſo thoſe that by Authority of ſuch *Letters*, *Bulls*, *Proceſs*, *Reſervations* or *Inſtruments*, ſhould make any Appeals, Citations or Proceſs againſt the Patrons of ſuch Benefices, or thoſe they had preſented, or any others, or ſhould proſecute, or cauſe to be proſecuted in any Court whatever, whereby they had done, or procured to be done, any thing in prejudice of the King, or the Earls, Barons, Nobles, and Commonalty or of the Proviſions, Ordinances, Decrees, &c. and againſt the Proclamation and Inhibition aforeſaid, ſhould be taken and arreſted by their Bodies; and the Letters, Bulls, Proceſs, and Inſtruments, granted upon ſuch Proviſions and Reſervations, ſhould be taken from them, wherever they were to be found, and ſent before the King's Council, with their Bodies that brought them into *England*, or any other his Majeſty's Dominions therein mention'd, with all thoſe that proſecuted any Execution upon them, ſhould be arreſted in order to receive what the Court ſhould award thereupon; and further, that Writs to this purpoſe be ſent thro the whole Realm.

Rot. Clauſ. 18 Ed. 3. Part 1. m. 14. dorſ.

In perſuance to which Statute, a Proclamation and Writs were iſſued forth, but without any great effect; for in the Parliament of the next Year, which began on the Octaves after *Holy Trinity*, the Commons again pray'd the King, that the *Proviſions*, *Ordinances* and *Accord* made in the Parliament of the ſeventeenth Year of his Reign, concerning the *Proviſions* and *Reſervations* of the Court of *Rome*, might be confirm'd and made a perpetual Statute.

Rot Parl. 18 Ed. 3. n. 33.

Ib. n. 36.

It was then alſo ordered, that the King ſhould preſent to the Prebends, Dignities, Churches and Chappels, of ſuch as lived in his Enemies Countries, or elſe to ſeize them into his own Hands, and employ the Profits thereof in defence of the Land and Holy Church, except ſo much as ſhould maintain the Houſes, and provide for Divine Service; and that any one who ſhould bring in any thing prejudicial to this Order from beyond Sea, ſhould be taken and carried back again.

And further it appears, that when all theſe Writs and Proclamations proved of little effect, the King by another Proclamation this Year, directed to the Sheriffs of *London*, in which all theſe *Proviſions*, *Ordinances* and *Agreements* were recited, it is further added, that ſince ſome *Proviſors* (*i. e.* ſuch as had received Benefices, *&c.* by the Pope's *Proviſions*) as well Strangers as Denizens, their Proctors and Meſſengers, not conſidering the ſaid *Proviſions*, *Ordinances*, *Proclamation* and *Inhibitions*, nor the Puniſhments contain'd in them, had brought *Letters*, *Bulls* and *Inſtruments* into the Kingdom, prejudicial to the King and his People, and had deliver'd them to Arch-Biſhops, Biſhops, Abbots, Priors, and others, as well Denizens as Strangers, to be executed, contrary to the ſaid *Proclamation* and *Inhibition*; and the Arch-Biſhops, Biſhops, and others receiving them, had by virtue thereof admitted and inducted very many ſuch *Proviſors*, and their Proctors or Subſtitutes, into Benefices, which they now poſſeſt, to the diſinheriting and intolerable prejudice of the King, his Crown and People, and againſt the Form of the *Proviſions*, *Statutes*, *Proclamation* and *Inhibition* aforeſaid. And ſince the Sheriffs of *London* had attempted ſomewhat againſt that *Proclamation* and *Inhibition*, and had hitherto neglected to obey his Command therein, at which He is much concern'd, the King proceeds again to enforce the former Inhibition, according to the Points of the late *Agreement*, *Proviſion* and *Statute* (including all thoſe that had admitted or inducted any into Benefices according to the Pope's Bulls and Reſervations) under the greateſt Forfeiture that could be made; and concludes, that they ſhould ſo behave themſelves in the Execution of this preſent Proclamation and Command, that He might not have cauſe to proſecute them, as Favourers of His and the Kingdom's Enemies. Witneſs the King at *Weſtminſter*, the thirtieth of *January*, in the eighteenth Year of his Reign of *England*, and of *France* the fifth.

Ib. n. 37. Clauſ. 18 E. 3. part 1. m. 20. *printed in Dr. B's* Append. n. 99.

By the King and the whole Council.

In the ſame manner all the Sheriffs of *England* received the like Precepts, to put in execution the ſaid Proclamation in their ſeveral Counties and Shires, as did alſo *Bartholomew de Burgherſh* Conſtable of *Dover*-Caſtle, and Warden of the *Cinque-Ports*.

Ibid.

As to the ſeizing of the Houſes and Monaſteries belonging to Alien Monks and Friers, we find theſe following Records.

Then in a Parliament holden the Eighth of *September* in the twentieth Year of his Reign, by *Leonel* his Son, Guardian of *England*, the Commons petition, that the Alien-Monks might be made to go out of *England* before *Michaelmas* next coming; and that thoſe who ſtaid beyond that Feaſt might be outlaw'd, and the Abbies and Priories which they poſſeſs'd might be ſeized into the King's hands, and *Engliſh* men placed in them, according to the diſcretion of the Ordinary of the Place: for that the young *Engliſh* Scholars (who then did neglect their Studies) and thoſe who ſhould be the Teachers of their Faith, would undertake it, if they had any hopes to be encouraged; and that the good Priories were in the hands of Strangers, who carried the Revenues beyond Sea; ſo that for this reaſon their Faith was like

Rot. Parl. 20 Ed. 3. n. 30.

like to come to nothing: That the ſtrange Monks were only Laymen, and the King their Patron.

Ibid. The Anſwer to this was, that theſe Religious *Aliens* were ſpiritual Perſons, and held their Houſes by Inſtitution, which thing could not be try'd in Parliament: and as to their Lands and Benefices, they were in the King's hands, and He received the Profits of them; but as to ouſting of them, it could not be done without conſulting the King.

Ib. n. 30. It was alſo pray'd, that as for Strangers, Enemies in *England*, who ſhould remain there after *Michaelmaſs*, and ſhould be outlaw'd, Command might be given to ſeize their Poſſeſſions and Goods to the King's uſe, and He to cauſe *Engliſh*-men to inſtruct the Pariſhioners, and ſupport the Chanteries; for thoſe that were advanced in *England* were Taylors, Shoomakers and Chamberlains to Cardinals: ſo that the Pariſhioners being not inform'd by them, their Faith decreas'd daily.

Ibid. The Anſwer was near the ſame with the other, that they were Spiritual Perſons, and the King had taken the Profits as aboveſaid; and as to ouſting them of their Benefices, it could not be done without the King's Aſſent.

Yet notwithſtanding all theſe Proceedings in Parliament againſt the Pope's *Bulls*, his *Proviſions* and *Reſervations*, and the *Proclamations* and *Inhibitions* thereupon, the ſame evil Courſes, thro the connivance of the Biſhops and ſome of the Clergy (who made their advantage by them) were ſtill continu'd; for in the five and twentieth Year of his Reign, the Commons in a long Petition to the King and Peers of the Land, pray them to take notice of the great Miſchief and Deſtruction of late coming upon the Kingdom by the Pope's Reſervations, by Brocage, and purchaſing his Proviſions; and many of the former Grievances were again complain'd of, which turned to a greater ruin of the Nation than the whole War: and thereupon they requeſt that the King would pleaſe with his Council to ordain Remedy in that Parliament, for that the longer theſe things ſhould be ſuffer'd, there would be the greater difficulty in reforming them. And it was then agreed, that the Anſwer to this Petition ſhould be made a Statute; for which ſee the Statutes at large in *Pulton's* Collection of this Year.

Ibid.

Ib. part 2. n. 49. And in a ſecond Parliament of the ſame Year, the *Commons* pray that this Statute concerning Proviſions and Reſervations might be publiſhed, and put in execution, againſt ſuch as acted to the contrary.

The Anſwer was, that the Statute ſhould be recited before the Council, and if need were, it ſhould be better worded and amended, ſo as the Eſtate of the King and Kingdom might in all things be ſafe and preſerved. But indeed the true reaſon why theſe Statutes had ſo little effect, was, becauſe the Biſhops and Eccleſiaſticks being either afraid of, or willing to comply with the Pope, durſt not, or would not ſee theſe Laws put in execution.

Vid. Statute at large, 27 Ed. 3. c. 1. In the ſeven and twentieth Year of the King, upon the grievous Complaint of the Great Men and Commons, that divers of the King's People had been drawn out of the Kingdom, to anſwer things, the cogniſance whereof belong'd to the King's Court only, and that the Judgments given in the ſame Court were impeached in another Court, in prejudice and diſheriſon of the King and his Crown, and of the People of the Realm, and in deſtruction of the *Common Law*, it was accorded and aſſented to by the King Great Men and Commons, that if any of the King's Ligeance, who ſhould practiſe ſuch things, and upon warning given him to appear before Him and his Council, or before his Juſtices at the time appointed, to undergo the Law, ſhould not appear, he ſhould be put out of the Royal Protection, and his Lands, Goods and Chattels forfeited to the King, his Body to be impriſoned, and ranſomed at the King's will. During this Conteſt between Him and the Pope, or indeed the Secular and Eccleſiaſtick Power, the King was very kind to the Clergy in confirming their old, and granting them many new Liberties and Privileges, as appears by the Statutes at large in the *14th*, *18th*, and *25th* Years of his Reign.

From this time all things were pretty quiet, and nothing conſiderable complain'd of in Parliament againſt the Pope and his *Proviſions*, until the forty ſeventh Year of his Reign; and then indeed the Commons again deſired Remedy againſt them, for that by reaſon thereof He received the firſt Fruits of Eccleſiaſtical Dignities, and by that means the Treaſure of the Realm was convey'd away, which they could not bear. Rot. Parl. 47 Ed. 3. n. 30.

The Anſwer was, the King had Ambaſſadors at the Court of *Rome* concerning theſe matters, before whoſe return He could not give them any further ſatisfaction. Ibid.

In the fiftieth Year of his Reign the *Knights*, *Citizens* and *Burgeſſes* who came to this Parliament for the Commonalty of the Realm, did pray the King and his Council, and ſupplicate on behalf of the ſaid *Commonalty*, that He would pleaſe to have good conſideration to the things underwritten and Faults following, and ordain convenient Remedy, which would be the moſt pleaſing to God, and acceptable to Holy Church, and moſt profitable to Him and his Kingdom that ever was done, it being their holy Faith and firm Hope, that thoſe who pleaſed God and Holy Church ſhould be accepted in whatever they did. The Heads of which excellent Petition and Declaration are as follow. Rot. Parl. 50 Ed. 3. n. 94. *printed in Dr.* B's Append.

Firſt, that He would pleaſe to conſider how his Noble Progenitors, Kings of *England*, and other Great-men of the ſame Land, built Churches, and in proceſs of time, by great Devotion, endowed them with Riches, Rents, Lands, and great Poſſeſſions, Franchiſes and Temporalties, which, with what the King Himſelf had given, amounted to more *than the third part of his Kingdom*; and think how all theſe things were given upon ſuch Devotion and Intent, that the Profits riſing from them ſhould be ſpent where they were given, to the Honour of God, and Maintenance of the Places belonging to them, in Hoſpitality and Alms, and divers Works of Charity, in the Service of God and Holy Church, in Chaplains, Clerks and poor People, that prayed night and day for their Holy Father the Pope; for Holy Church, for the King and Kingdom, for Peace, for their Founders, Patrons and Benefactors, for their Souls, and thoſe of all Chriſtians; and alſo conſider how the King and other Great Men, by their eminent Devotion and Gifts to Holy Church, were in peaceable poſſeſſion to beſtow the Churches and Benefices, as Holy King *Edward* gave the Biſhoprick of *Worceſter* to St. *Wulſtan*; and afterward by Devotion of our Kings, it was granted, and by the Court of *Rome* confirm'd, that the Cathedral Churches ſhould have Ibid.

free Election of their Prelates, ſo that the Biſhopricks by true Election, and other Benefices of Holy Church, were given charitably (not out of Covetouſneſs, or by Simony) to the moſt Worthy of the Clergy, Men of ſtricteſt Lives, and holieſt Converſation, that could be ſound, being ſuch as would reſide upon their Benefices, preach, viſit and confeſs their Pariſhioners, and ſpend the Goods of Holy Church, to the Honour of God, and in Works of Charity, according to the Devotion and Intent of the Donors: and ſo long as theſe good Cuſtoms were continued, the Kingdom was proſperous, the People good and loyal, there was Peace and Quiet, and ſufficient of Treaſure, Grain, Cattel, and other Riches; but ſince theſe good Cuſtoms had been perverted, Covetouſneſs and Simony increaſed, the Kingdom had been full of Adverſities, as Wars, Peſtilence, Famine, Murrain amongſt Cattel, and other Grievances, whereby it was ſo much impoveriſhed and deſtroy'd, that there were not the third part of the People, or other things in it, for the Cauſes aboveſaid; and then follows,

Ibid. Alſo it is to be conſider'd, that no Man in the World, who loved God, Holy Church, the King and Kingdom of *England*, but had great reaſon to think ſorrowfully of theſe things, and mourn that the Court of *Rome*, which was wont to be the Fountain, Root and Source of Sanctity, and Deſtruction of Covetouſneſs, Simony, and other Sins, had ſo craftily, by ſlow degrees, in proceſs of time gained the Collations of Biſhopricks, Dignities, Prebendaries, and other Benefices of Holy Church in *England*, of which the Pope always received the Tax or Firſt Fruits, and by his Bulls made ſeveral Tranſlations, that He might get the more; by which means, and by other Payments and Charges, the Biſhops became ſo very much in debt to the Court of *Rome*, that they ſold the Timber of their Biſhopricks, had Aid of their poor Tenants and Clergy; and indeed all Methods were taken to deſtroy the Church and Realm of *England*.

Ibid. Alſo it ought to be conſider'd, that there are many, who when they have purchaſed one Benefice of the Court of *Rome*, and paid the Tax, or Firſt-Fruits of it, the Brokers of Benefices reſiding in the Wicked City of *Avignon*, let them to farm, and ſent the Rents to their Brokers, to purchaſe more and greater Benefices: ſo that any ſorry Wretch, or miſerable Perſon, not worth or good for any thing, by ſuch Simony or Brokage, ſhould be prefer'd to Churches and Prebendaries, to the value of one thouſand Marks; whereas a * Doctor of Decrees, and a † Maſter in Divinity, muſt be ſatisfied with a ſmall Benefice of twenty Marks: So that Clerks loſt all their hopes of being advanced as ſuch, and for the ſame cauſe People forbore to put their Children to School; ſo as the Clergy, which is the Support of the Church, failed, and our Holy Faith declined, and in a little time would come to nothing.

* i. e. *of Canon Law.*
† i. e. *a Doctor.*

Alſo it ought to be conſider'd, how that Strangers, Enemies to the Land, and others beyond Sea, had the Benefices, Riches and Rents of Holy Church in *England*, which never ſaw or would ſee their Pariſhioners; whereby the Service of God and Holy Church, and all Works of Charity become neglected, the Pariſhioners like to ſuffer in Body and Soul, their only care being to get the Profits of their Benefices out of the Kingdom: and by this way Holy Church is more deſtroy'd by ſuch wicked Chriſtians, than by *Turks* and *Saracens*.

Alſo it is to be conſider'd that the Law of Holy Church is ſuch, that the Benefices of Holy Church ought to be given freely out of pure Charity, without Price or Prayer, without the gift of Gold, Silver, or any thing elſe; and that Law and Reaſon will, that what is given by Devotion to Holy Church, ought to be ſpent to the Honour of God, according to the Devotion and Intent of the Donor, and not out of the Realm upon their Enemies.

Alſo it is to be conſidered, that God committed his Sheep to the Pope to paſture, and not to ſheer them; and that Lay-Patrons followed theſe Examples, and ſold their Churches, as God was ſold to the *Jews*, who put Him to Death.

Wherefore they deſired the King, that He would pleaſe to remember, this was the fiftieth Year of his Reign, which was called the Year of *Jubilee*, the Year of Grace and Joy; and it would be the greateſt Grace and Joy that ever happen'd to this Kingdom, and the moſt pleaſing to God and Holy Church, and all thoſe that love them, if the things aboveſaid were laid to heart, and agreeable Remedy provided for them. And then they propounded, that the King and Great-men ſhould write to the Pope, as had been before ordained in Parliament.

Ibid.

The King's Anſwer was, that He had ordain'd ſufficient Remedy before by Statutes and otherwiſe; that He was then applying to, and preſſing the Pope concerning this matter, and was fully reſolv'd to do it from time to time, until He had performed their deſires, as well concerning the things compriſed in this large Bill above-mentioned, as that which was to follow, which was very near the ſame.

Rot. Parl. 50 Ed. 3. n. 45. 104.

The Title of this Bill is, according to the Margin of the Parliament-Roll, *Bille encontre le Pape & les Cardinaux*, the Bill againſt the Pope and Cardinals; and the other which follows this on the Roll, and was almoſt the ſame, had this Title, *Bills et Articles encontre le Pape & le Clergie.* To both which the King anſwer'd as above.

It is likewiſe worth notice, that tho the ſecond Bill was near the ſame with the former, yet becauſe the Commons acquainted the King that there were ſeveral Spies reſiding in *London*, who had their Emiſſaries and Informers throughout all Parts of the Kingdom, that gave them notice when any Dignities or great Benefices fell vacant, that ſo they might ſend to the Cardinals, and other Perſons who were at the Court of *Rome*, to purchaſe them of the Pope.

Now ſeeing that in theſe Complaints there hath ſo often been made mention of the Papal *Proviſions* and *Reſervations*; for the better underſtanding thereof, here follows the form of one of them tranſlated into *Engliſh*.

This is enter'd in the Arch-Biſhop's Regiſter call'd Regnolds, *and printed in Dr.* B's Append. n. 101. *in* Latin.

John, *Biſhop*, &c. *Servant of the Servants of God, to the perpetual memory hereof. Whereas We have underſtood, that the Church of* Rocheſter, *by the Death of* Thomas *Biſhop thereof, is at preſent become void, We, for the good Eſtate of the Church, intending the* Proviſion *of it, for* * *this turn, for certain Cauſes that have perſuaded Us ſo to do, have,* **by the Authority of theſe Preſents,** *fully* reſerved *it to the Ordinance and Diſpoſition of the Apoſtolick See, Decreeing that whatſoever ſhall be done, and by whomſoever, knowingly or ignorantly, contrary to this* Reſervation, *it ſhall be void. It may not therefore any way be lawful for any man to infringe this our* Reſervation *and* Conſtitution, *or raſhly attempt to do any*

* Pro hac vice.

thing againſt it: And if any one ſhall preſume to attempt any ſuch thing, he ſhall know that He incurs the Indignation of Almighty God, and of his Apoſtles St. Peter *and* Paul. *Dated at* Avignon *the eighteenth day of* March, *in the* * *firſt Year of our Pontificate or Popedom.*

* *This was the* 9th *of K.* Edward 3. A. D. 1316.

Ibid.

This *Reſervation* was publiſhed at the Arches of *London* on the thirtieth of *March*, and on the next day of the ſame month at *Rocheſter* before the Monks: but they having choſen their Prior *Hamon Heth* Biſhop the day before the date of this *Reſervation* and *Proviſion*, after three Years trouble in waiting at *Avignon* and elſewhere at great Expences, the Pope confirm'd him in the Biſhoprick. See the Hiſtory of the *Proviſion* and *Reſervation* in *Anglia Sacra*, vol. 1. f. 357.

In the next place I will give you ſome Account of the ſpreading of the *Wickliffian* Doctrines in *England*.

Vid. Walſing. Ypod. Neuſtr. ad An. 1377.

Spelman Concil. vol. 2. f. 621.

Id. f. 623.

Ib. f. 624.

In the fiftieth and fifty firſt Years of this King, *John Wickliff* Doctor in Divinity, by Preaching and Reading at *Oxford*, publiſhed many Opinions contrary to thoſe of the Church and Religion then here profeſs'd. Pope *Gregory* XI. hearing of it, ſent *Wickliff*'s Opinions incloſed in his Letter or Bull, directed to the Arch-Bp of *Canterbury* and Bp of *London*, requiring them, to examine Him and his Opinions, and take his Confeſſion concerning them: and his Holineſs wrote another Letter to them, that if they found his Opinions to be ſuch as He had incloſed to them, they ſhould then forthwith keep Him in Bonds and ſafe Cuſtody, until they ſhould receive further Commands from Him. He wrote likewiſe a third Bull or Letter, to uſe all Dilligence to preſerve the King, Queen, their Children and Great Men of *England* from theſe Errors and Hereſies, and keep them ſteady in the Faith; and to require them ſtrictly to ſhew them favour, and give effectual Aſſiſtance, *&c.* All theſe Bulls or Letters are of the ſame Date at *Rome*, being the two and twentieth of *May*, and the ſeventh Year of his Pontificate *A. D.* 1377.

Knyghton, col. 2647.

Upon theſe Bulls, *John Wickliff* was cited to appear before the Arch-Biſhop of *Canterbury*, and ſeveral other Doctors in the Church of the Friers-Preachers in *London*, whither he came, and thus explain'd himſelf concerning the Sacrament of the Altar, in theſe old *Engliſh* Words.

Ibid.

I knowlecke that the Sacrament of the Autere is very Goddus Body in fourme of Brede; but it is in another maner Goddus Body then it is in Hevene; for in Hevene it is ſene foote, in the fourme and figure of Fleſhe and Blode; but in the Sacrament Goddus Body is be myracle of God in fourme of Brede, and is he nouther of ſene foote, ne in Mannes figure, but as a Man leves for to thenke the kynde of an ymage, whether it be of Oke or of Aſhe, and ſettys his thouzt in him of whom it is the ymage; ſo myche more ſchuld a man leve to thenk on the kynde of Brede, but thenke upon Chriſt; for his Body is the ſame Brede that is the Sacrament of the Autere, and withalle clemes alle Devotion, and all Charitie that God wolde gif him, Worſchippe be Chriſt, and then He receyves God Goſtly, more medefully than the Prieſt that ſyngus the Maſſe in leſſe Charitie: For the Bodely etynge ne profytes nouth to Soule, but in as mykul as the Soul is fedde with Charitie, this Sentence is provyde be Chriſt that may nouzt lye; for, as the Goſpel ſays, Chriſt that night, that He was betrayed of Judas Scariot, *He tok Brede in his Honds, and Bleſſide it, brak it, and gave it to his Diſciplus to ete; for He ſays, and may not lye,* This is my Body.

What ſatisfaction this Explication gave to the Arch-Biſhop, and thoſe before whom he was convented, this Author ſays not; but *Walſingham* relates it was feigned and vain, and that the Arch-Biſhop and all others, the Duke of *Lancaſter*, and Lord *Henry Piercy* being preſent, commanded Silence to Dr. *Wickliff*, forbidding him for the future to meddle with, or treat upon that matter, or ſuffer others to diſcourſe or ſpeak upon it; and that he and his Followers were ſilent for ſome time.

Yet he was neither impriſon'd nor cenſured during his Life. His Opinions are variouſly and differently worded and ſtated, as well thoſe that were reputed and cenſured for Hereſies, as thoſe accounted but Errors, and ſo involv'd in the Terms of Scholaſtick Divinity then uſed, that they are now ſcarce intelligible. They are to be found in *Spelman*'s ſecond Volume of the Councils, *Henry de Knyghton*, and in *Wood*'s Antiquities of *Oxford*; but the plaineſt and cleareſt that were then eſteemed Hereſies, are in *Walſingham*'s *Hypodigma Neuſtriæ*, which are here tranſlated.

1. *That the Euchariſt in the Altar, after Conſecration, is not the true Body of Chriſt, but its Figure.*
2. *That the Church of* Rome *is not the Head of all Churches more than any other Church, nor was there any greater Power given to* Peter *than to any other Apoſtle.*
3. *That the Pope of* Rome *had no greater Power in the Keys of the Church, than any other Prieſt.*
4. *That the Temporal Lords (that were Patrons) might lawfully and meritoriouſly take away the Temporals from a Delinquent Church.*
5. *And that if a Temporal Lord knew a Church to be Delinquent, he was bound, under the pain of Damnation, to take the Temporals from it.*
6. *That the Goſpel was a ſufficient Rule for the Life of a Chriſtian, and that all other Rules of Saints, under the Obſervation whereof divers Religious live, add no more Perfection to the Goſpel, than Whiteneſs to the Wall.*
7. *That neither the Pope, nor any other Prelate of the Church, ought to have Priſons to puniſh Delinquents; but every Delinquent might freely go whither He would, and do what He would.*

MVSEVM BRITANNICVM

Theſe are his Opinions, which *Walſingham* recites under this Reign; tho doubtleſs he taught and preach'd up divers others in the Univerſity of *Oxford*, where he had many Followers, and thoſe of the Learned men, as likewiſe in other Places, which were cenſured in the next Reign.

I ſhall ſay no more of theſe Doctrines now, but leave them to the Reader to conſider, how far they afterwards prov'd the Groundwork and Principles of the *Reformation* began in the Reign of *Henry* VIII. and carried on under thoſe of King *Edward* VI. and Queen *Elizabeth*. And indeed (except the fourth and fifth concerning taking away the *Temporals* from a Delinquent Church) they are almoſt the ſame with thoſe of the Reformed Religion at this day profeſs'd in *England*, as well as other Countries.

The End of the Reign of K. Edward *the Third.*

FH
MVSEVM
BRITANNICVM